

Counsel for Defendant Hitachi Maxell, Ltd.

**DEFENDANT HITACHI MAXELL, LTD.’S ANSWER AND
AFFIRMATIVE DEFENSES TO TRACFONE WIRELESS, INC.’S
FIRST AMENDED COMPLAINT**

Defendant Hitachi Maxell, Ltd. (“HML”) respectfully submits its Answer and Affirmative Defenses in response to the First Amended Complaint (the “Amended Complaint”) filed by **TracFone Wireless, Inc.** (“TracFone”), as follows:¹

I. “INTRODUCTION”

1. HML denies the allegations in Paragraph 1 of the Amended Complaint to the extent that they state allegations against HML. HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 1; to the extent any answer is required, HML denies the allegations therein. HML specifically denies engaging in any “conspiracy.”

2. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 2 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations therein.

3. HML denies the allegations in Paragraph 3 of the Amended Complaint to the extent that they state allegations against HML. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 3 of the Amended Complaint, which consist of statements of technical expertise and/or economic theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations therein. HML specifically denies engaging in any “price fixing.”

4. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 4 of the Amended Complaint, which consist of statements of technical expertise and/ or economic theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations therein. HML specifically denies that it engaged in any

¹ Solely for the convenience of the Court, this Answer repeats (in quotation marks) the headings used in the Complaint. HML does *not* thereby admit the contents of any heading.

1 “conspiracy” or had “co-conspirators.”

2 5. HML lacks knowledge or information sufficient to form a belief as to the truth of the
3 allegations in Paragraph 5 of the Amended Complaint; to the extent any answer is required, HML
4 denies the allegations therein.

5 6. HML denies the allegations in Paragraph 6 of the Amended Complaint to the extent
6 that they state allegations against HML. HML further states that it lacks knowledge or information
7 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 6; to the extent
8 any answer is required, HML denies the allegations therein. HML specifically denies engaging in
9 any “cartelization of the worldwide market” or possessing any “secret” materials regarding the same.

10 7. HML lacks sufficient knowledge or information to form a belief as to the truth of the
11 allegations in Paragraph 7 of the Amended Complaint; to the extent any answer is required, HML
12 denies the allegations therein.

13 8. HML lacks sufficient knowledge or information to form a belief as to the truth of the
14 allegations in Paragraph 8 of the Amended Complaint; to the extent any answer is required, HML
15 denies the allegations therein.

16 9. HML denies the allegations in Paragraph 9 of the Amended Complaint to the extent
17 that they state allegations against HML. HML further states that it lacks knowledge or information
18 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 9; to the extent
19 any answer is required, HML denies the allegations therein. HML specifically denies engaging in
20 any “unlawful conduct” as part of a “price-fixing cartel,” or seeking to “artificially increase” prices
21 by “agreeing to restrain competition” or through any other conduct.

22 10. HML denies the allegations in Paragraph 10 of the Amended Complaint to the extent
23 that they state allegations against HML, and lacks knowledge or information sufficient to form a
24 belief as to the truth of the remaining allegations in Paragraph 10; to the extent any answer is
25 required, HML denies the allegations therein. HML specifically denies engaging in any “collusive
26 discussions” or “collusive meetings.”

27 11. HML denies the allegations in Paragraph 11 of the Amended Complaint to the extent
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1 that they state allegations against HML, and lacks knowledge or information sufficient to form a
2 belief as to the truth of the remaining allegations in Paragraph 11; to the extent any answer is
3 required, HML denies the allegations therein. HML specifically denies “colluding” or engaging in
4 any “collusive discussions.”

5 12. HML denies the allegations in Paragraph 12 of the Amended Complaint to the extent
6 that they state allegations against HML, and lacks knowledge or information sufficient to form a
7 belief as to the truth of the remaining allegations in Paragraph 12; to the extent any answer is
8 required, HML denies the allegations therein. HML specifically denies engaging in any “collusive”
9 or “conspiratorial” meetings.

10 13. HML denies the allegations in the first sentence of Paragraph 13 of the Amended
11 Complaint to the extent they state allegations against HML. If accurately quoted, which HML lacks
12 sufficient information to confirm or deny, the document quoted in Paragraph 13 of the Amended
13 Complaint speaks for itself and no further response is required; to the extent that any answer is
14 required, HML denies the allegations therein. HML further states that it lacks knowledge or
15 information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 13;
16 to the extent any answer is required, HML denies the allegations therein. HML specifically denies
17 that it had any “conscious commitment” to “stabilize” or “raise” LIB prices.

18 14. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 14 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
22 the underlying allegations in Paragraph 14; to the extent any answer is required, HML denies the
23 allegations therein.

24 15. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 15 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
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1 the underlying allegations in Paragraph 15; to the extent any answer is required, HML denies the
2 allegations therein. HML specifically denies attending any meetings in furtherance of any purported
3 conspiracy.

4 16. HML denies the allegations in Paragraph 16 of the Amended Complaint to the extent
5 that they state allegations against HML. HML further states that if accurately quoted, which HML
6 lacks sufficient information to confirm or deny, the document quoted in the final sentence of
7 Paragraph 16 of the Amended Complaint speaks for itself and no further response is required; to the
8 extent that any answer is required, HML denies the allegations therein. HML further states that it
9 lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 16; to the extent any answer is required, HML denies the allegations
11 therein. HML specifically denies attending any meetings in furtherance of any purported
12 conspiracy.

13 17. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 17 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
17 the underlying allegations in Paragraph 17; to the extent any answer is required, HML denies the
18 allegations therein.

19 18. HML denies the allegations in the first sentence of Paragraph 18 of the Amended
20 Complaint to the extent that they state allegations against HML. If accurately quoted, which HML
21 lacks sufficient information to confirm or deny, the document quoted in Paragraph 18 speaks for
22 itself and no further response is required; to the extent that any answer is required, HML denies the
23 allegations therein. HML further states that it lacks knowledge or information sufficient to form a
24 belief as to the truth of the underlying allegations in Paragraph 18; to the extent any answer is
25 required, HML denies the allegations therein. HML specifically denies that it understood any of its
26 actions violated (or in fact violated) “international antitrust laws.”

27 19. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 19 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
4 the underlying allegations in Paragraph 19; to the extent any answer is required, HML denies the
5 allegations therein.

6 20. HML denies the allegations in Paragraph 20 of the Amended Complaint to the extent
7 that they state allegations against HML. HML further states that it lacks knowledge or information
8 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 20; to the extent
9 any answer is required, HML denies the allegations therein. HML specifically denies that it attended
10 “collusive meetings,” had “co-conspirators,” or engaged in any purported “conspiracy.”

11 21. HML denies the allegations in Paragraph 21 of the Amended Complaint to the extent
12 that they state allegations against HML. HML further states that it lacks knowledge or information
13 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 21; to the extent
14 any answer is required, HML denies the allegations therein. HML specifically denies that it acted
15 with any “consciousness of guilt,” used “concealment measures,” or engaged in any purported
16 “conspiracy.”

17 22. HML denies the allegations in the first sentence of Paragraph 22 of the Amended
18 Complaint to the extent that they state allegations against HML. If accurately quoted, which HML
19 lacks sufficient information to confirm or deny, the document quoted in Paragraph 22 speaks for
20 itself and no further response is required; to the extent that any answer is required, HML denies the
21 allegations therein. HML further states that it lacks knowledge or information sufficient to form a
22 belief as to the truth of the underlying allegations in Paragraph 22; to the extent any answer is
23 required, HML denies the allegations therein. HML specifically denies that it engaged in any
24 “conspiracy” to raise worldwide prices or that it worked “in concert” with any of its affiliates to do
25 so.

26 23. HML denies the allegations in Paragraph 23 of the Amended Complaint to the extent
27 that they state allegations against HML. HML lacks information or knowledge sufficient to form a
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1 belief as to the truth of the remaining allegations in Paragraph 23; to the extent any answer is
2 required, HML denies the allegations therein. HML specifically denies that HML or any of its
3 executives have pleaded guilty to price-fixing or participated in any of the aforementioned alleged
4 component part conspiracies.

5 24. HML denies the allegations in Paragraph 24 of the Amended Complaint to the extent
6 that they state allegations against HML. HML lacks knowledge or information sufficient to form a
7 belief as to the truth of the remaining allegations in Paragraph 24; to the extent any answer is
8 required, HML denies the allegations therein. HML specifically denies that it has participated in any
9 purported “anticompetitive conduct” or took any action that caused TracFone to suffer any “injury.”

10 **II. “JURISDICTION AND VENUE”**

11 25. HML states that the allegations in Paragraph 25 of the Amended Complaint consist of
12 legal arguments and conclusions to which no response is required; to the extent that any answer is
13 required, HML denies the allegations therein.

14 26. HML states that the allegations in Paragraph 26 of the Amended Complaint consist of
15 legal arguments and conclusions to which no response is required; to the extent that any answer is
16 required, HML denies the allegations therein.

17 27. HML states that the allegations in Paragraph 27 of the Amended Complaint consist of
18 legal arguments and conclusions to which no response is required; to the extent that any answer is
19 required, HML denies the allegations therein.

20 28. HML denies the allegations in Paragraph 28 of the Amended Complaint to the extent
21 that they state allegations against HML. HML further states that it lacks knowledge or information
22 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 28; to the extent
23 any answer is required, HML denies the allegations therein. HML specifically denies engaging in
24 any “conspiracy.”

25 29. HML denies the allegations in Paragraph 29 of the Amended Complaint. HML states
26 that the allegations in the first sentence of Paragraph 29 consist of legal arguments and conclusions
27 to which no response is required; to the extent any response is required, HML denies the allegations
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1 therein. HML specifically denies that HML or any of its executives have pleaded guilty in
2 connection with the conspiracy alleged or “acknowledged” engaging in any “illegal activities.”

3 30. HML states that the allegations in Paragraph 30 of the Amended Complaint consist of
4 legal arguments and conclusions to which no response is required; to the extent that any answer is
5 required, HML denies the allegations therein. HML specifically denies the last sentence of
6 Paragraph 30.

7 31. HML states that the allegations in Paragraph 31 of the Amended Complaint consist of
8 legal arguments and conclusions to which no response is required; to the extent that any answer is
9 required, HML denies the allegations therein.

10 **III. “THE PARTIES”**

11 **A. “Plaintiffs”**

12 32. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 32 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein.

15 33. HML lacks knowledge or information sufficient to form a belief as to the truth of the
16 allegations in Paragraph 33 of the Amended Complaint; to the extent any answer is required, HML
17 denies the allegations therein.

18 34. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 34 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein. HML specifically denies the allegation that it “price-fixed.”

21 35. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 35 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein. HML specifically denies that it has any “co-conspirators.”

24 36. HML lacks knowledge or information sufficient to form a belief as to the truth of the
25 allegations in Paragraph 36 of the Amended Complaint; to the extent any answer is required, HML
26 denies the allegations therein.

27 37. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 allegations in Paragraph 37 of the Amended Complaint; to the extent any answer is required, HML
2 denies the allegations therein.

3 38. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 38 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 39. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 39 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 Further, HML lacks knowledge or information sufficient to form a belief as to the truth of the
10 allegations in Paragraph 39 of the Amended Complaint; to the extent any answer is required, HML
11 denies the allegations therein. HML specifically denies that it engaged in “illegal conduct.”

12 40. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 40 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein. HML specifically denies the allegation that it fixed prices,
15 participated in a conspiracy, or that its actions harmed TracFone.

16 41. HML states that the allegations in Paragraph 41 of the Amended Complaint consist of
17 legal arguments and conclusions to which no response is required; to the extent that any answer is
18 required, HML denies the allegations therein. HML specifically denies that it had any “co-
19 conspirators.”

20 **B. “Defendants”**

21 42. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 42 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 43. HML lacks knowledge or information sufficient to form a belief as to the truth of the
25 allegations in Paragraph 43 of the Amended Complaint; to the extent any answer is required, HML
26 denies the allegations therein.

27 44. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 allegations in Paragraph 44 of the Amended Complaint; to the extent any answer is required, HML
2 denies the allegations therein.

3 45. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 45 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 46. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 allegations in Paragraph 46 of the Amended Complaint; to the extent any answer is required, HML
8 denies the allegations therein.

9 47. HML lacks knowledge or information sufficient to form a belief as to the truth of the
10 allegations in Paragraph 47 of the Amended Complaint; to the extent any answer is required, HML
11 denies the allegations therein.

12 48. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 48 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein.

15 49. HML states that the allegations in Paragraph 49 of the Amended Complaint consist of
16 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
17 answer is required, HML denies the allegations therein.

18 50. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 50 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein.

21 51. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 51 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 52. HML states that the allegations in Paragraph 52 of the Amended Complaint consist of
25 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
26 answer is required, HML denies the allegations therein.

27 53. HML states that the allegations in Paragraph 53 of the Amended Complaint consist of
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1 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
2 answer is required, HML denies the allegations therein.

3 54. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 54 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 55. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 allegations in Paragraph 55 of the Amended Complaint; to the extent any answer is required, HML
8 denies the allegations therein.

9 56. HML states that the allegations in Paragraph 56 of the Amended Complaint consist of
10 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
11 answer is required, HML denies the allegations therein.

12 57. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 57 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein.

15 58. HML lacks knowledge or information sufficient to form a belief as to the truth of the
16 allegations in Paragraph 58 of the Amended Complaint; to the extent any answer is required, HML
17 denies the allegations therein.

18 59. HML states that the allegations in Paragraph 59 of the Amended Complaint consist of
19 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
20 answer is required, HML denies the allegations therein.

21 60. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 60 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 61. HML lacks knowledge or information sufficient to form a belief as to the truth of the
25 allegations in Paragraph 61 of the Amended Complaint; to the extent any answer is required, HML
26 denies the allegations therein.

27 62. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 allegations in Paragraph 62 of the Amended Complaint; to the extent any answer is required, HML
2 denies the allegations therein.

3 63. HML states that the allegations in Paragraph 63 of the Amended Complaint consist of
4 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
5 answer is required, HML denies the allegations therein.

6 64. HML denies the allegations in the first sentence of Paragraph 64 of the Amended
7 Complaint. HML avers that HML's address is 2-16-2, Konan, Minato-ku, Tokyo, 108-8248, Japan.
8 HML denies the allegation in Paragraph 64 that Hitachi Maxell, Ltd. is a wholly-owned subsidiary
9 of Hitachi, Ltd. HML further specifically denies participating in any alleged "conspiracy."

10 65. HML admits the allegations in the first sentence of Paragraph 65 of the Amended
11 Complaint. HML specifically denies that either HML or Maxell Corporation of America or any of its
12 affiliates participated in any purported "conspiracy," and denies all remaining allegations in
13 Paragraph 65.

14 66. HML states that the allegations in Paragraph 66 of the Amended Complaint consist of
15 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
16 answer is required, HML denies the allegations therein. HML objects to this shorthand because it
17 improperly conflates and confuses the acts of two distinct corporate entities.

18 67. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 67 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein.

21 68. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 68 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 69. HML states that the allegations in Paragraph 69 of the Amended Complaint consist of
25 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
26 answer is required, HML denies the allegations therein.

27 70. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 allegations in Paragraph 70 of the Amended Complaint; to the extent any answer is required, HML
2 denies the allegations therein.

3 71. HML states that the allegations in Paragraph 71 of the Amended Complaint consist of
4 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
5 answer is required, HML denies the allegations therein.

6 72. HML states that the allegations in Paragraph 72 of the Amended Complaint consist of
7 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
8 answer is required, HML denies the allegations therein. HML objects to this shorthand because it
9 improperly conflates and confuses the acts of distinct corporate entities. HML lacks knowledge or
10 information sufficient to form a belief as to the truth of the allegations in Paragraph 72; to the extent
11 any answer is required, HML denies the allegations therein.

12 73. HML states that the allegations in Paragraph 73 of the Amended Complaint consist of
13 shorthand used by TracFone for its convenience and do not require an answer; to the extent an
14 answer is required, HML denies the allegations therein. HML objects to this shorthand because it
15 improperly conflates and confuses the acts of distinct corporate entities.

16 **C. "Agents and Co-Conspirators"**

17 74. HML states that the allegations in Paragraph 74 of the Amended Complaint consist of
18 legal arguments and conclusions to which no response is required; to the extent that any answer is
19 required, HML denies the allegations therein.

20 75. HML states that the allegations in Paragraph 75 of the Amended Complaint consist of
21 legal arguments and conclusions to which no response is required; to the extent that any answer is
22 required, HML denies the allegations therein.

23 76. HML states that the allegations in Paragraph 76 of the Amended Complaint consist of
24 legal arguments and conclusions to which no response is required; to the extent that any answer is
25 required, HML denies the allegations therein. HML specifically denies and objects to the allegations
26 in Paragraph 76 to the extent that they confuse and conflate the actions of distinct corporate entities.

27 77. HML states that the allegations in Paragraph 77 of the Amended Complaint consist of
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1 legal arguments and conclusions to which no response is required; to the extent that any answer is
2 required, HML denies the allegations therein.

3 78. HML states that the allegations in Paragraph 78 of the Amended Complaint consist of
4 legal arguments and conclusions to which no response is required. Further, HML lacks knowledge
5 or information sufficient to form a belief as to the truth of the allegations in Paragraph 78 of the
6 Amended Complaint; to the extent any answer is required, HML denies the allegations therein.
7 HML specifically denies that it has participated in any purported “conspiracy” or had “co-
8 conspirators.”

9 **IV. “DESCRIPTION OF LITHIUM ION BATTERIES”**

10 **A. “Background of Batteries”**

11 79. HML lacks information sufficient to form a belief as to the truth of the allegations in
12 Paragraph 79 of the Amended Complaint, which consist of statements of technical expertise that are
13 best suited to an expert opinion; to the extent any answer is required, HML denies the allegations
14 therein.

15 80. HML lacks information sufficient to form a belief as to the truth of the allegations in
16 Paragraph 80 of the Amended Complaint, which consist of statements of technical expertise that are
17 best suited to an expert opinion; to the extent any answer is required, HML denies the allegations
18 therein.

19 81. HML lacks information sufficient to form a belief as to the truth of the allegations in
20 Paragraph 81 of the Amended Complaint, which consist of statements of technical expertise that are
21 best suited to an expert opinion; to the extent any answer is required, HML denies the allegations
22 therein.

23 82. HML lacks information sufficient to form a belief as to the truth of the allegations in
24 Paragraph 82 of the Amended Complaint, which consist of statements of technical expertise and/or
25 economic theory that are best suited to an expert opinion; to the extent any answer is required, HML
26 denies the allegations therein.

27 83. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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document quoted in Paragraph 83 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 83; to the extent any answer is required, HML denies the allegations therein.

B. “Lithium Ion Batteries”

1. “Properties and Types of LIBs”

84. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 84 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent that any answer is required, HML denies the allegations therein.

85. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 85 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent that any answer is required, HML denies the allegations therein.

86. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 86 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent that any answer is required, HML denies the allegations therein.

87. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 87 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent that any answer is required, HML denies the allegations therein.

88. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 88 of the Amended Complaint, which consist of statements of technical expertise that are best suited to an expert opinion; to the extent that any answer is required, HML denies the allegations therein.

1 101. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
2 document quoted in Paragraph 101 of the Amended Complaint speaks for itself and no further
3 response is required; to the extent that any answer is required, HML denies the allegations therein.
4 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
5 the underlying allegations in Paragraph 101, which consist of statements of economic theory that are
6 best suited to an expert opinion; to the extent any answer is required, HML denies the allegations
7 therein.

8 102. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
9 document quoted in Paragraph 102 of the Amended Complaint speaks for itself and no further
10 response is required; to the extent that any answer is required, HML denies the allegations therein.
11 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
12 the underlying allegations in Paragraph 102; to the extent any answer is required, HML denies the
13 allegations therein.

14 103. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
15 document quoted in Paragraph 103 of the Amended Complaint speaks for itself and no further
16 response is required; to the extent that any answer is required, HML denies the allegations therein.
17 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
18 the underlying allegations in Paragraph 103, which consist of statements of technical expertise that
19 are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations
20 therein.

21 **3. “Packing”**

22 104. HML lacks the knowledge or information sufficient to form a belief as to the truth of
23 the allegations in Paragraph 104 of the Amended Complaint; to the extent any answer is required,
24 HML denies the allegations therein.

25 105. HML admits the allegation in Paragraph 105 that it has used third parties to pack
26 Lithium Ion Batteries. HML lacks the knowledge or information sufficient to form a belief as to the
27 truth of the allegations in Paragraph 105 of the Amended Complaint as they relate to other entities;
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1 to the extent any answer is required, HML denies the allegations therein.

2 106. HML lacks knowledge or information sufficient to form a belief as to the truth of the
3 allegations in Paragraph 106 of the Amended Complaint, which consist of statements of technical
4 expertise that are best suited to an expert opinion; to the extent any answer is required, HML denies
5 the allegations therein.

6 107. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 allegations in Paragraph 107 of the Amended Complaint; to the extent any answer is required, HML
8 denies the allegations therein.

9 108. HML lacks the knowledge or information sufficient to form a belief as to the truth of
10 the allegations in Paragraph 108 of the Amended Complaint; to the extent any answer is required,
11 HML denies the allegations therein.

12 **V. “DEFENDANTS CONSPIRED TO RAISE AND STABILIZE LITHIUM ION BATTERY**
13 **PRICES”**

14 **A. “Summary of Defendants’ Overt Acts in Furtherance of the Conspiracy”**

15 109. HML denies the allegations in Paragraph 109 of the Amended Complaint to the
16 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
17 form a belief as to the truth of the remaining allegations in Paragraph 109; to the extent any answer
18 is required, HML denies the allegations therein. HML specifically denies that it engaged in any
19 “collusive meetings and communications.”

20 110. HML denies the allegations in Paragraph 110 of the Amended Complaint to the
21 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
22 form a belief as to the truth of the remaining allegations in Paragraph 110; to the extent any answer
23 is required, HML denies the allegations therein. HML specifically denies that it took any acts or
24 participated in any “collusive meetings” in furtherance of any purported “conspiracy.”

25 111. HML denies the allegations in Paragraph 111 of the Amended Complaint to the
26 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
27 form a belief as to the truth of the remaining allegations in Paragraph 111; to the extent any answer
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1 is required, HML denies the allegations therein. HML specifically denies that it took any acts or had
2 any “collusive discussions” in furtherance of any purported “conspiracy.”

3 112. HML denies the allegations in Paragraph 112 of the Amended Complaint to the
4 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
5 form a belief as to the truth of the remaining allegations in Paragraph 112; to the extent any answer
6 is required HML denies the allegations therein. HML specifically denies that it took any acts in
7 furtherance of any purported “conspiracy” or that it attended any “conspiratorial meetings.”

8 113. HML denies the allegations in Paragraph 113 of the Amended Complaint to the
9 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
10 form a belief as to the truth of the remaining allegations in Paragraph 113; to the extent any answer
11 is required, HML denies the allegations therein. HML specifically denies that it took part in any
12 “collusive meetings.”

13 114. If accurately described, which HML lacks sufficient information to confirm or deny,
14 the document referenced in Paragraph 114 of the Amended Complaint speaks for itself and no
15 further response is required; to the extent that any answer is required, HML denies the allegations
16 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
17 underlying allegations in Paragraph 114; to the extent any answer is required, HML denies the
18 allegations therein.

19 115. If accurately quoted, which HML lacks sufficient knowledge or information to
20 confirm or deny, the document quoted in Paragraph 115 of the Amended Complaint speaks for itself
21 and no further response is required; to the extent that any answer is required, HML denies the
22 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
23 of the underlying allegations in Paragraph 115; to the extent any answer is required, HML denies the
24 allegations therein. HML specifically denies attending any meetings in furtherance of any purported
25 conspiracy.

26 116. If accurately quoted, which HML lacks sufficient knowledge or information to
27 confirm or deny, the document quoted in Paragraph 116 of the Amended Complaint speaks for itself
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1 and no further response is required; to the extent that any answer is required, HML denies the
2 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
3 of the underlying allegations in Paragraph 116; to the extent any answer is required, HML denies the
4 allegations therein.

5 117. If accurately quoted, which HML lacks sufficient knowledge or information to
6 confirm or deny, the document quoted in Paragraph 117 of the Amended Complaint speaks for itself
7 and no further response is required; to the extent that any answer is required, HML denies the
8 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
9 of the underlying allegations in Paragraph 117; to the extent any answer is required, HML denies the
10 allegations therein.

11 118. If accurately quoted, which HML lacks sufficient knowledge or information to
12 confirm or deny, the document quoted in Paragraph 118 of the Amended Complaint speaks for itself
13 and no further response is required; to the extent that any answer is required, HML denies the
14 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
15 of the underlying allegations in Paragraph 118; to the extent any answer is required, HML denies the
16 allegations therein.

17 119. If accurately quoted, which HML lacks sufficient knowledge or information to
18 confirm or deny, the document quoted in Paragraph 119 of the Amended Complaint speaks for itself
19 and no further response is required; to the extent that any answer is required, HML denies the
20 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
21 of the underlying allegations in Paragraph 119; to the extent any answer is required, HML denies the
22 allegations therein.

23 120. If accurately quoted, which HML lacks sufficient knowledge or information to
24 confirm or deny, the document quoted in Paragraph 120 of the Amended Complaint speaks for itself
25 and no further response is required; to the extent that any answer is required, HML denies the
26 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
27 of the underlying allegations in Paragraph 120; to the extent any answer is required, HML denies the
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1 allegations therein.

2 121. If accurately quoted, which HML lacks sufficient knowledge or information to
3 confirm or deny, the document quoted in Paragraph 121 of the Amended Complaint speaks for itself
4 and no further response is required; to the extent that any answer is required, HML denies the
5 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
6 of the underlying allegations in Paragraph 121; to the extent any answer is required, HML denies the
7 allegations therein.

8 122. If accurately quoted, which HML lacks sufficient knowledge or information to
9 confirm or deny, the document quoted in Paragraph 122 of the Amended Complaint speaks for itself
10 and no further response is required; to the extent any answer is required, HML denies the allegations
11 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
12 underlying allegations in Paragraph 122; to the extent any answer is required, HML denies the
13 allegations therein.

14 123. HML denies the allegations in Paragraph 123 of the Amended Complaint to the
15 extent they state allegations against HML. HML lacks sufficient knowledge or information to form
16 a belief as to the truth of the remaining allegations in Paragraph 123; to the extent any answer is
17 required, HML denies the allegations therein. HML specifically denies that it participated in any
18 “collusive meetings” as alleged in Paragraph 123.

19 124. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
20 document quoted in Paragraph 124 of the Amended Complaint speaks for itself and no further
21 response is required; to the extent that any answer is required, HML denies the allegations therein.
22 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
23 the underlying allegations in Paragraph 124; to the extent any answer is required, HML denies the
24 allegations therein.

25 125. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document quoted in Paragraph 125 of the Amended Complaint speaks for itself and no further
27 response is required; to the extent that any answer is required, HML denies the allegations therein.

1 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
2 the underlying allegations in Paragraph 125; to the extent any answer is required, HML denies the
3 allegations therein.

4 126. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
5 document quoted in Paragraph 126 of the Amended Complaint speaks for itself and no further
6 response is required; to the extent that any answer is required, HML denies the allegations therein.
7 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
8 the underlying allegations in Paragraph 126; to the extent any answer is required, HML denies the
9 allegations therein.

10 127. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document quoted in Paragraph 127 of the Amended Complaint speaks for itself and no further
12 response is required; to the extent that any answer is required, HML denies the allegations therein.
13 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
14 the underlying allegations in Paragraph 127; to the extent any answer is required, HML denies the
15 allegations therein.

16 128. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
17 document quoted in Paragraph 128 of the Amended Complaint speaks for itself and no further
18 response is required; to the extent that any answer is required, HML denies the allegations therein.
19 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
20 the underlying allegations in Paragraph 128; to the extent any answer is required, HML denies the
21 allegations therein. HML specifically denies that it participated in any meetings in furtherance of
22 any purported conspiracy or entered into any improper agreement with competitors.

23 129. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
24 document quoted in Paragraph 129 of the Amended Complaint speaks for itself and no further
25 response is required; to the extent that any answer is required, HML denies the allegations therein.
26 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
27 the underlying allegations in Paragraph 129; to the extent any answer is required, HML denies the
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1 allegations therein. HML specifically denies that it participated in any meetings in furtherance of
2 any purported conspiracy.

3 130. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 130 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
7 the underlying allegations in Paragraph 130; to the extent any answer is required, HML denies the
8 allegations therein. HML specifically denies that it participated in any meetings in furtherance of
9 any purported conspiracy.

10 131. HML lacks knowledge or information sufficient to form a belief as to the truth of the
11 allegations in Paragraph 131 of the Amended Complaint; to the extent any answer is required, HML
12 denies the allegations therein.

13 132. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 132 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
17 the underlying allegations in Paragraph 132; to the extent any answer is required, HML denies the
18 allegations therein.

19 133. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
20 document quoted in Paragraph 133 of the Amended Complaint speaks for itself and no further
21 response is required; to the extent that any answer is required, HML denies the allegations therein.
22 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
23 the underlying allegations in Paragraph 133; to the extent any answer is required, HML denies the
24 allegations therein.

25 134. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document quoted in Paragraph 134 of the Amended Complaint speaks for itself and no further
27 response is required; to the extent that any answer is required, HML denies the allegations therein.

1 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
2 the underlying allegations in Paragraph 134; to the extent any answer is required, HML denies the
3 allegations therein.

4 135. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
5 document quoted in Paragraph 135 of the Amended Complaint speaks for itself and no further
6 response is required; to the extent that any answer is required, HML denies the allegations therein.
7 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
8 the underlying allegations in Paragraph 135; to the extent any answer is required, HML denies the
9 allegations therein.

10 136. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document quoted in Paragraph 136 of the Amended Complaint speaks for itself and no further
12 response is required; to the extent that any answer is required, HML denies the allegations therein.
13 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
14 the underlying allegations in Paragraph 136; to the extent any answer is required, HML denies the
15 allegations therein. HML specifically denies that it participated in any “collusive meetings.”

16 137. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
17 document quoted in Paragraph 137 of the Amended Complaint speaks for itself and no further
18 response is required; to the extent that any answer is required, HML denies the allegations therein.
19 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
20 the underlying allegations in Paragraph 137; to the extent any answer is required, HML denies the
21 allegations therein.

22 138. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
23 document quoted in Paragraph 138 of the Amended Complaint speaks for itself and no further
24 response is required; to the extent that any answer is required, HML denies the allegations therein.
25 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
26 the underlying allegations in Paragraph 138; to the extent any answer is required, HML denies the
27 allegations therein.

1 139. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
2 document quoted in Paragraph 139 of the Amended Complaint speaks for itself and no further
3 response is required; to the extent that any answer is required, HML denies the allegations therein.
4 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
5 the underlying allegations in Paragraph 139; to the extent any answer is required, HML denies the
6 allegations therein.

7 140. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
8 document quoted in Paragraph 140 of the Amended Complaint speaks for itself and no further
9 response is required; to the extent that any answer is required, HML denies the allegations therein.
10 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
11 the underlying allegations in Paragraph 140; to the extent any answer is required, HML denies the
12 allegations therein.

13 141. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 141 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
17 the underlying allegations in Paragraph 141; to the extent any answer is required, HML denies the
18 allegations therein.

19 142. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
20 document quoted in Paragraph 142 of the Amended Complaint speaks for itself and no further
21 response is required; to the extent that any answer is required, HML denies the allegations therein.
22 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
23 the underlying allegations in Paragraph 142; to the extent any answer is required, HML denies the
24 allegations therein. HML specifically denies that it participated in any meetings in furtherance of
25 any purported conspiracy.

26 143. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
27 document quoted in Paragraph 143 of the Amended Complaint speaks for itself and no further
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1 response is required; to the extent that any answer is required, HML denies the allegations therein.
2 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
3 the underlying allegations in Paragraph 143; to the extent any answer is required, HML denies the
4 allegations therein.

5 144. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document quoted in Paragraph 144 of the Amended Complaint speaks for itself and no further
7 response is required; to the extent that any answer is required, HML denies the allegations therein.
8 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
9 the underlying allegations in Paragraph 144; to the extent any answer is required, HML denies the
10 allegations therein.

11 145. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 145 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
15 the underlying allegations in Paragraph 145; to the extent any answer is required, HML denies the
16 allegations therein.

17 146. HML denies the allegations in the first sentence of Paragraph 146 of the Amended
18 Complaint to the extent they state allegations against HML. HML states that if quoted accurately,
19 the document quoted in the remainder of Paragraph 146 of the Amended Complaint speaks for itself
20 and no further response is required; to the extent that any answer is required, HML denies the
21 allegations therein. HML further states that it lacks knowledge or information sufficient to form a
22 belief as to the truth of the underlying allegations in Paragraph 146; to the extent any response is
23 required, HML denies the allegations therein.

24 147. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 147 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
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1 the underlying allegations in Paragraph 147; to the extent any answer is required, HML denies the
2 allegations therein.

3 148. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 148 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
7 the underlying allegations in Paragraph 148; to the extent any answer is required, HML denies the
8 allegations therein.

9 149. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 149 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
13 the underlying allegations in Paragraph 149; to the extent any answer is required, HML denies the
14 allegations therein.

15 150. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 150 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
19 the underlying allegations in Paragraph 150; to the extent any answer is required, HML denies the
20 allegations therein.

21 151. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 remaining allegations in Paragraph 151 of the Amended Complaint; to the extent any answer is
23 required, HML denies the allegations therein. HML specifically denies that it participated in any
24 meeting in furtherance of any purported conspiracy.

25 152. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document quoted in Paragraph 152 of the Amended Complaint speaks for itself and no further
27 response is required; to the extent that any answer is required, HML denies the allegations therein.

1 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
2 the underlying allegations in Paragraph 152; to the extent any answer is required, HML denies the
3 allegations therein.

4 153. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
5 document quoted in Paragraph 153 of the Amended Complaint speaks for itself and no further
6 response is required; to the extent that any answer is required, HML denies the allegations therein.
7 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
8 allegations in Paragraph 153; to the extent any answer is required, HML denies the allegations
9 therein.

10 154. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document quoted in Paragraph 154 of the Amended Complaint speaks for itself and no further
12 response is required; to the extent that any answer is required, HML denies the allegations therein.
13 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
14 allegations in Paragraph 154; to the extent any answer is required, HML denies the allegations
15 therein.

16 155. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
17 document quoted in Paragraph 155 of the Amended Complaint speaks for itself and no further
18 response is required; to the extent that any answer is required, HML denies the allegations therein.
19 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
20 allegations in Paragraph 155; to the extent any answer is required, HML denies the allegations
21 therein. HML specifically denies that it participated in any meetings in furtherance of any purported
22 conspiracy.

23 156. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
24 document quoted in Paragraph 156 of the Amended Complaint speaks for itself and no further
25 response is required; to the extent that any answer is required, HML denies the allegations therein.
26 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
27 allegations in Paragraph 156; to the extent any answer is required, HML denies the allegations
28

1 therein.

2 157. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
3 document quoted in Paragraph 157 of the Amended Complaint speaks for itself and no further
4 response is required; to the extent that any answer is required, HML denies the allegations therein.
5 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
6 allegations in Paragraph 157; to the extent any answer is required, HML denies the allegations
7 therein.

8 158. HML lacks knowledge or information sufficient to form a belief as to the truth of the
9 allegations in Paragraph 158 of the Amended Complaint; to the extent any answer is required, HML
10 denies the allegations therein.

11 159. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 159 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
15 allegations in Paragraph 159; to the extent any answer is required, HML denies the allegations
16 therein.

17 160. HML lacks knowledge or information sufficient to form a belief as to the truth of the
18 allegations in Paragraph 160 of the Amended Complaint; to the extent any answer is required, HML
19 denies the allegations therein.

20 161. HML lacks knowledge or information sufficient to form a belief as to the truth of the
21 allegations in Paragraph 161 of the Amended Complaint; to the extent any answer is required, HML
22 denies the allegations therein. HML specifically denies that it participated in any meetings in
23 furtherance of any purported conspiracy.

24 162. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 162 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 162; to the extent any answer is required, HML denies the allegations
2 therein.

3 163. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 163 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 164. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 allegations in Paragraph 164 of the Amended Complaint; to the extent any answer is required, HML
8 denies the allegations therein.

9 165. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 165 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 165; to the extent any answer is required, HML denies the allegations
14 therein.

15 166. If quoted accurately, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 166 of the Amended Complaint speaks for itself and no further
17 response is required. HML lacks knowledge or information sufficient to form a belief as to the truth
18 of the underlying allegations in Paragraph 166; to the extent any answer is required, HML denies the
19 allegations therein. HML specifically denies that it participated in any meetings in furtherance of
20 any purported conspiracy or that it entered into any improper agreement with competitors.

21 167. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 167 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 167; to the extent any answer is required, HML denies the allegations
26 therein.

27 168. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 168 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 168; to the extent any answer is required, HML denies the allegations
5 therein.

6 169. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 allegations in Paragraph 169 of the Amended Complaint; to the extent any answer is required, HML
8 denies the allegations therein.

9 170. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 170 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 170; to the extent any answer is required, HML denies the allegations
14 therein.

15 171. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 171 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 171; to the extent any answer is required, HML denies the allegations
20 therein.

21 172. If accurately described, which HML lacks sufficient information to confirm or deny,
22 the document referenced in Paragraph 172 of the Amended Complaint speaks for itself and no
23 further response is required; to the extent that any answer is required, HML denies the allegations
24 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
25 underlying allegations in Paragraph 172; to the extent any answer is required, HML denies the
26 allegations therein.

27 173. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 173 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 173; to the extent any answer is required, HML denies the allegations
5 therein.

6 174. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 174 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 174; to the extent any answer is required, HML denies the allegations
11 therein.

12 175. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 175 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein.

15 176. HML lacks knowledge or information sufficient to form a belief as to the truth of the
16 allegations in Paragraph 176 of the Amended Complaint; to the extent any answer is required, HML
17 denies the allegations therein.

18 177. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 177 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein.

21 178. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 178 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 178; to the extent any answer is required, HML denies the allegations
26 therein.

27 179. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 allegations in Paragraph 179 of the Amended Complaint; to the extent any answer is required, HML
2 denies the allegations therein.

3 180. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 180 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 181. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 181 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 181; to the extent any answer is required, HML denies the allegations
11 therein.

12 182. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 allegations in Paragraph 182 of the Amended Complaint; to the extent any answer is required, HML
14 denies the allegations therein.

15 183. HML lacks knowledge or information sufficient to form a belief as to the truth of the
16 allegations in Paragraph 183 of the Amended Complaint; to the extent any answer is required, HML
17 denies the allegations therein.

18 184. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 184 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein.

21 185. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 185 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 186. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 186 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 186; to the extent any answer is required, HML denies the allegations
2 therein.

3 187. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 187 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 187; to the extent any answer is required, HML denies the allegations
8 therein.

9 188. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 188 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 188; to the extent any answer is required, HML denies the allegations
14 therein.

15 189. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 189 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 189; to the extent any answer is required, HML denies the allegations
20 therein.

21 190. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 190 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 191. If accurately quoted, which HML lacks knowledge or information sufficient to
25 confirm or deny, the document quoted in Paragraph 191 of the Amended Complaint speaks for itself
26 and no further response is required; to the extent that any answer is required, HML denies the
27 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
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1 of the underlying allegations in Paragraph 191; to the extent any answer is required, HML denies the
2 allegations therein.

3 192. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 192 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 192; to the extent any answer is required, HML denies the allegations
8 therein.

9 193. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 193 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 193; to the extent any answer is required, HML denies the allegations
14 therein.

15 194. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 194 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 194; to the extent any answer is required, HML denies the allegations
20 therein.

21 195. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 195 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 195; to the extent any answer is required, HML denies the allegations
26 therein.

27 196. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 196 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 196; to the extent any answer is required, HML denies the allegations
5 therein.

6 197. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 197 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 197; to the extent any answer is required, HML denies the allegations
11 therein.

12 198. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 198 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 198; to the extent any answer is required, HML denies the allegations
17 therein.

18 199. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 199 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
22 allegations in Paragraph 199; to the extent any answer is required, HML denies the allegations
23 therein.

24 200. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 200 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 200; to the extent any answer is required, HML denies the allegations
2 therein.

3 201. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 201 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 202. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 202 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 202; to the extent any answer is required, HML denies the allegations
11 therein.

12 203. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 203 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 203; to the extent any answer is required, HML denies the allegations
17 therein.

18 204. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 204 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
22 allegations in Paragraph 204; to the extent any answer is required, HML denies the allegations
23 therein.

24 205. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 205 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 205; to the extent any answer is required, HML denies the allegations
2 therein.

3 206. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 206 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 206; to the extent any answer is required, HML denies the allegations
8 therein.

9 207. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 207 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 207; to the extent any answer is required, HML denies the allegations
14 therein.

15 208. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 208 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 208; to the extent any answer is required, HML denies the allegations
20 therein.

21 209. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 209 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 209; to the extent any answer is required, HML denies the allegations
26 therein.

27 210. If accurately described, which HML lacks sufficient information to confirm or deny,
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1 the document referenced in Paragraph 210 of the Amended Complaint speaks for itself and no
2 further response is required; to the extent that any answer is required, HML denies the allegations
3 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 underlying allegations in Paragraph 210; to the extent any answer is required, HML denies the
5 allegations therein.

6 211. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 211 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 211; to the extent any answer is required, HML denies the allegations
11 therein.

12 212. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 212 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 212; to the extent any answer is required, HML denies the allegations
17 therein.

18 213. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 213 of the Amended Complaint; to the extent any answer is required, HML
20 denies the allegations therein.

21 214. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 214 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 214; to the extent any answer is required, HML denies the allegations
26 therein.

27 215. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 215 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 215; to the extent any answer is required, HML denies the allegations
5 therein.

6 216. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 216 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 216; to the extent any answer is required, HML denies the allegations
11 therein.

12 217. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 217 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 217; to the extent any answer is required, HML denies the allegations
17 therein.

18 218. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 218 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
22 allegations in Paragraph 218; to the extent any answer is required, HML denies the allegations
23 therein.

24 219. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 219 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 219; to the extent any answer is required, HML denies the allegations
2 therein.

3 220. If accurately described, which HML lacks sufficient information to confirm or deny,
4 the document referenced in Paragraph 220 of the Amended Complaint speaks for itself and no
5 further response is required; to the extent that any answer is required, HML denies the allegations
6 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
7 underlying allegations in Paragraph 220; to the extent any answer is required, HML denies the
8 allegations therein.

9 221. If accurately described, which HML lacks sufficient information to confirm or deny,
10 the document referenced in Paragraph 221 of the Amended Complaint speaks for itself and no
11 further response is required; to the extent that any answer is required, HML denies the allegations
12 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
13 underlying allegations in Paragraph 221; to the extent any answer is required, HML denies the
14 allegations therein.

15 222. If accurately described, which HML lacks sufficient information to confirm or deny,
16 the document referenced in Paragraph 222 of the Amended Complaint speaks for itself and no
17 further response is required; to the extent that any answer is required, HML denies the allegations
18 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 underlying allegations in Paragraph 222; to the extent any answer is required, HML denies the
20 allegations therein.

21 223. If accurately described, which HML lacks sufficient information to confirm or deny,
22 the document referenced in Paragraph 223 of the Amended Complaint speaks for itself and no
23 further response is required; to the extent that any answer is required, HML denies the allegations
24 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
25 underlying allegations in Paragraph 223; to the extent any answer is required, HML denies the
26 allegations therein.

27 224. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 224 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 224; to the extent any answer is required, HML denies the allegations
5 therein.

6 225. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 225 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 225; to the extent any answer is required, HML denies the allegations
11 therein.

12 226. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 226 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 226; to the extent any answer is required, HML denies the allegations
17 therein.

18 227. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 227 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
22 allegations in Paragraph 227; to the extent any answer is required, HML denies the allegations
23 therein.

24 228. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 228 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 228; to the extent any answer is required, HML denies the allegations
2 therein.

3 229. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 229 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 229; to the extent any answer is required, HML denies the allegations
8 therein.

9 230. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 230 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 230; to the extent any answer is required, HML denies the allegations
14 therein.

15 231. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 231 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 231; to the extent any answer is required, HML denies the allegations
20 therein.

21 232. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 232 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 232; to the extent any answer is required, HML denies the allegations
26 therein.

27 233. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 233 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 233; to the extent any answer is required, HML denies the allegations
5 therein.

6 234. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 234 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
10 allegations in Paragraph 234; to the extent any answer is required, HML denies the allegations
11 therein.

12 235. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
13 document quoted in Paragraph 235 of the Amended Complaint speaks for itself and no further
14 response is required; to the extent that any answer is required, HML denies the allegations therein.
15 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
16 allegations in Paragraph 235; to the extent any answer is required, HML denies the allegations
17 therein.

18 236. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
19 document quoted in Paragraph 236 of the Amended Complaint speaks for itself and no further
20 response is required; to the extent that any answer is required, HML denies the allegations therein.
21 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
22 allegations in Paragraph 236; to the extent any answer is required, HML denies the allegations
23 therein.

24 237. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 237 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
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1 allegations in Paragraph 237; to the extent any answer is required, HML denies the allegations
2 therein.

3 238. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 238 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 238; to the extent any answer is required, HML denies the allegations
8 therein.

9 **B. “The U.S. Subsidiaries Directly Participated in the Conspiracy”**

10 239. HML denies the allegations in Paragraph 239 of the Amended Complaint to the
11 extent they state allegations against HML. HML lacks knowledge or information sufficient to form
12 a belief as to the truth of the remaining allegations in Paragraph 239; to the extent any answer is
13 required, HML denies the allegations therein. HML specifically denies that HML or any of its
14 personnel participated in any purported “collusion” or “conspiracy.”

15 240. HML denies the allegations in Paragraph 240 of the Amended Complaint to the
16 extent they state allegations against HML. HML lacks sufficient knowledge or information to form
17 an opinion as to the truth of the remaining allegations in Paragraph 240; to the extent any answer is
18 required, HML denies the allegations therein. HML specifically denies that any “foreign
19 executives” assigned to work at HML “engaged in collusive conduct” or “had actual and apparent
20 authority over pricing decisions carried out through” HML.

21 241. HML denies the allegations in Paragraph 241 of the Amended Complaint to the
22 extent they state allegations against HML and/or any of its subsidiaries. HML lacks sufficient
23 knowledge or information to form an opinion as to the truth of the remaining allegations in
24 Paragraph 241; to the extent any answer is required, HML denies the allegations therein. HML
25 specifically denies that HML, any of its affiliates, or any “foreign executives” assigned to HML
26 engaged in any conduct to “ensure adherence” to any purported “conspiratorial understanding.”

27 242. HML denies the allegations in Paragraph 242 of the Amended Complaint to the
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1 extent they state allegations against HML. HML lacks sufficient knowledge or information to form
 2 an opinion as to the truth of the remaining allegations in Paragraph 242; to the extent any answer is
 3 required, HML denies the allegations therein. HML specifically denies that HML or any “foreign
 4 executives” assigned to HML participated in any purported conspiracy, either alone or at the
 5 direction of any of HML affiliates.

6 243. HML denies the allegations in Paragraph 243 of the Amended Complaint to the
 7 extent they state allegations against HML. HML lacks sufficient knowledge or information to form
 8 an opinion as to the truth of the remaining allegations in Paragraph 243; to the extent any answer is
 9 required, HML denies the allegations therein. HML specifically denies that HML or any “foreign
 10 executive” assigned to HML participated in any purported conspiracy, either alone or at the direction
 11 of any of HML’s affiliates.

12 **1. “LGCAI’s Participation in the Conspiracy”**

13 **a. “LGCAI’s Direct Communications Regarding the Conspiracy”**

14 244. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
 15 document quoted in Paragraph 244 of the Amended Complaint speaks for itself and no further
 16 response is required; to the extent that any answer is required, HML denies the allegations therein.
 17 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
 18 allegations in Paragraph 244; to the extent any answer is required, HML denies the allegations
 19 therein.

20 245. If accurately described, which HML lacks sufficient information to confirm or deny,
 21 the document referenced in Paragraph 245 of the Amended Complaint speaks for itself and no
 22 further response is required; to the extent that any answer is required, HML denies the allegations
 23 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 24 underlying allegations in Paragraph 245; to the extent any answer is required, HML denies the
 25 allegations therein.

26 246. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
 27 document quoted in Paragraph 246 of the Amended Complaint speaks for itself and no further
 28

1 response is required; to the extent that any answer is required, HML denies the allegations therein.
2 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
3 allegations in Paragraph 246; to the extent any answer is required, HML denies the allegations
4 therein.

5 247. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document quoted in Paragraph 247 of the Amended Complaint speaks for itself and no further
7 response is required; to the extent that any answer is required, HML denies the allegations therein.
8 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
9 allegations in Paragraph 247; to the extent any answer is required, HML denies the allegations
10 therein.

11 248. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 248 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
15 allegations in Paragraph 248; to the extent any answer is required, HML denies the allegations
16 therein.

17 249. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
18 document quoted in Paragraph 249 of the Amended Complaint speaks for itself and no further
19 response is required; to the extent that any answer is required, HML denies the allegations therein.
20 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
21 allegations in Paragraph 249; to the extent any answer is required, HML denies the allegations
22 therein.

23 250. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
24 document quoted in Paragraph 250 of the Amended Complaint speaks for itself and no further
25 response is required; to the extent that any answer is required, HML denies the allegations therein.
26 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
27 allegations in Paragraph 250; to the extent any answer is required, HML denies the allegations
28

1 therein.

2 251. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
3 document quoted in Paragraph 251 of the Amended Complaint speaks for itself and no further
4 response is required; to the extent that any answer is required, HML denies the allegations therein.
5 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
6 allegations in Paragraph 251; to the extent any answer is required, HML denies the allegations
7 therein.

8 252. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
9 document quoted in Paragraph 252 of the Amended Complaint speaks for itself and no further
10 response is required; to the extent that any answer is required, HML denies the allegations therein.
11 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
12 allegations in Paragraph 252; to the extent any answer is required, HML denies the allegations
13 therein.

14 253. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
15 document quoted in Paragraph 253 of the Amended Complaint speaks for itself and no further
16 response is required; to the extent that any answer is required, HML denies the allegations therein.
17 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
18 allegations in Paragraph 253; to the extent any answer is required, HML denies the allegations
19 therein.

20 254. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
21 document quoted in Paragraph 254 of the Amended Complaint speaks for itself and no further
22 response is required; to the extent that any answer is required, HML denies the allegations therein.
23 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
24 allegations in Paragraph 254; to the extent any answer is required, HML denies the allegations
25 therein.

26 255. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
27 document quoted in Paragraph 255 of the Amended Complaint speaks for itself and no further
28

1 response is required; to the extent that any answer is required, HML denies the allegations therein.
2 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
3 allegations in Paragraph 255; to the extent any answer is required, HML denies the allegations
4 therein.

5 256. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document quoted in Paragraph 256 of the Amended Complaint speaks for itself and no further
7 response is required; to the extent that any answer is required, HML denies the allegations therein.
8 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
9 allegations in Paragraph 256; to the extent any answer is required, HML denies the allegations
10 therein.

11 257. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 257 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
15 allegations in Paragraph 257; to the extent any answer is required, HML denies the allegations
16 therein.

17 b. “LGCAI Employed Foreign Executives Who Participated in Conspiratorial
18 Conduct”

19 258. HML lacks knowledge or information sufficient to form a belief as to the truth of the
20 allegations in Paragraph 258 of the Amended Complaint; to the extent any answer is required, HML
21 denies the allegations therein.

22 c. “LG Chem Directed LGCAI’s Pricing and Supply Decisions”

23 259. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
24 document quoted in Paragraph 259 of the Amended Complaint speaks for itself and no further
25 response is required; to the extent that any answer is required, HML denies the allegations therein.
26 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
27 allegations in Paragraph 259; to the extent any answer is required, HML denies the allegations
28

1 therein.

2 260. HML lacks knowledge or sufficient information to form a belief as to the truth of the
3 allegations contained in Paragraph 260 of the Amended Complaint; to the extent any answer is
4 required, HML denies the allegations therein.

5 261. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document referenced in Paragraph 261 of the Amended Complaint speaks for itself and no further
7 response is required; to the extent that any answer is required, HML denies the allegations therein.
8 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
9 allegations in Paragraph 261; to the extent any answer is required, HML denies the allegations
10 therein.

11 **2. “SDIA’s Participation in the Conspiracy”**

12 a. “SDIA’s Direct Communications Regarding the Conspiracy”

13 262. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 262 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
17 allegations in Paragraph 262; to the extent any answer is required, HML denies the allegations
18 therein.

19 b. “SDIA Employed Foreign Executives Who Participated in Conspiratorial 20 Conduct”

21 263. HML lacks knowledge or information sufficient to form a belief as to the truth of the
22 allegations in Paragraph 263 of the Amended Complaint; to the extent any answer is required, HML
23 denies the allegations therein.

24 c. “SDI Directed SDIA’s Pricing and Supply Decisions”

25 264. HML lacks sufficient knowledge or information to form a belief as to the truth of the
26 allegations contained in Paragraph 264 of the Amended Complaint; to the extent any answer is
27 required, HML denies the allegations therein.

265. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document quoted in Paragraph 265 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 265; to the extent any answer is required, HML denies the allegations therein.

3. “Sanyo North America’s Participation in the Conspiracy”

a. “Sanyo North America’s Direct Communications Regarding the Conspiracy”

266. If accurately described, which HML lacks sufficient information to confirm or deny, the document referenced in Paragraph 266 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 266; to the extent any answer is required, HML denies the allegations therein.

267. If accurately described and quoted, which HML lacks sufficient information to confirm or deny, the document referenced in Paragraph 267 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 267; to the extent any answer is required, HML denies the allegations therein.

268. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document quoted in Paragraph 268 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 268; to the extent any answer is required, HML denies the allegations therein.

1 269. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
2 document quoted in Paragraph 269 of the Amended Complaint speaks for itself and no further
3 response is required; to the extent that any answer is required, HML denies the allegations therein.
4 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
5 allegations in Paragraph 269; to the extent any answer is required, HML denies the allegations
6 therein.

7 270. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
8 document quoted in Paragraph 270 of the Amended Complaint speaks for itself and no further
9 response is required; to the extent that any answer is required, HML denies the allegations therein.
10 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
11 allegations in Paragraph 270; to the extent any answer is required, HML denies the allegations
12 therein.

13 271. If accurately described, which HML lacks sufficient information to confirm or deny,
14 the document referenced in Paragraph 271 of the Amended Complaint speaks for itself and no
15 further response is required; to the extent that any answer is required, HML denies the allegations
16 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
17 underlying allegations in Paragraph 271; to the extent any answer is required, HML denies the
18 allegations therein.

19 272. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
20 document quoted in Paragraph 272 of the Amended Complaint speaks for itself and no further
21 response is required; to the extent that any answer is required, HML denies the allegations therein.
22 HML denies the allegations in the second sentence of Paragraph 272 to the extent they state
23 allegations against HML. HML specifically denies that it participated in any meetings in furtherance
24 of any purported conspiracy or that it entered into any improper agreement with competitors.

25 273. If accurately described, which HML lacks sufficient information to confirm or deny,
26 the document referenced in Paragraph 273 of the Amended Complaint speaks for itself and no
27 further response is required; to the extent that any answer is required, HML denies the allegations
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1 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 2 underlying allegations in Paragraph 273; to the extent any answer is required, HML denies the
 3 allegations therein.

4 b. “Sanyo North America Employed Foreign Executives Who
 5 Participated in Conspiratorial Conduct”

6 274. If accurately described, which HML lacks sufficient information to confirm or deny,
 7 the documents referenced in Paragraph 274 of the Amended Complaint speak for themselves and no
 8 further response is required; to the extent that any answer is required, HML denies the allegations
 9 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 10 underlying allegations in Paragraph 274; to the extent any answer is required, HML denies the
 11 allegations therein.

12 c. “Sanyo Japan Directed Sanyo North America Pricing and Supply
 13 Decisions”

14 275. If accurately described, which HML lacks sufficient information to confirm or deny,
 15 the document described in Paragraph 275 of the Amended Complaint speaks for itself and no further
 16 response is required; to the extent that any answer is required, HML denies the allegations therein.
 17 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
 18 allegations in Paragraph 275; to the extent any answer is required, HML denies the allegations
 19 therein.

20 276. If accurately described, which HML lacks sufficient information to confirm or deny,
 21 the document referenced in Paragraph 276 of the Amended Complaint speaks for itself and no
 22 further response is required; to the extent that any answer is required, HML denies the allegations
 23 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 24 underlying allegations in Paragraph 276; to the extent any answer is required, HML denies the
 25 allegations therein.

26 277. If accurately described, which HML lacks sufficient information to confirm or deny,
 27 the document referenced in Paragraph 277 of the Amended Complaint speaks for itself and no
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1 further response is required; to the extent that any answer is required, HML denies the allegations
 2 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 3 underlying allegations in Paragraph 277; to the extent any answer is required, HML denies the
 4 allegations therein.

5 278. If accurately described, which HML lacks sufficient information to confirm or deny,
 6 the document referenced in Paragraph 278 of the Amended Complaint speaks for itself and no
 7 further response is required; to the extent that any answer is required, HML denies the allegations
 8 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 9 underlying allegations in Paragraph 278; to the extent any answer is required, HML denies the
 10 allegations therein.

11 **4. “Panasonic North America’s Participation in the Conspiracy”**

12 a. “Panasonic North America’s Direct Communications Regarding the 13 Conspiracy”

14 279. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
 15 document quoted in Paragraph 279 of the Amended Complaint speaks for itself and no further
 16 response is required; to the extent that any answer is required, HML denies the allegations therein.
 17 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
 18 allegations in Paragraph 279; to the extent any answer is required, HML denies the allegations
 19 therein.

20 280. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
 21 document quoted in Paragraph 280 of the Amended Complaint speaks for itself and no further
 22 response is required; to the extent that any answer is required, HML denies the allegations therein.
 23 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
 24 allegations in Paragraph 280; to the extent any answer is required, HML denies the allegations
 25 therein.

26 281. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
 27 document quoted in Paragraph 281 of the Amended Complaint speaks for itself and no further
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1 response is required; to the extent that any answer is required, HML denies the allegations therein.
 2 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
 3 allegations in Paragraph 281; to the extent any answer is required, HML denies the allegations
 4 therein.

5 282. If accurately described, which HML lacks sufficient information to confirm or deny,
 6 the document referenced in Paragraph 282 of the Amended Complaint speaks for itself and no
 7 further response is required; to the extent that any answer is required, HML denies the allegations
 8 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 9 underlying allegations in Paragraph 282; to the extent any answer is required, HML denies the
 10 allegations therein.

11 283. If accurately described and quoted, which HML lacks sufficient information to
 12 confirm or deny, the document referenced in Paragraph 283 of the Amended Complaint speaks for
 13 itself and no further response is required; to the extent that any answer is required, HML denies the
 14 allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth
 15 of the underlying allegations in Paragraph 283; to the extent any answer is required, HML denies the
 16 allegations therein.

17 b. “Panasonic Japan Directed Panasonic North America Pricing and Supply
 18 Decisions”

19 284. If accurately described, which HML lacks sufficient information to confirm or deny,
 20 the document referenced in Paragraph 284 of the Amended Complaint speaks for itself and no
 21 further response is required; to the extent that any answer is required, HML denies the allegations
 22 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
 23 underlying allegations in Paragraph 284; to the extent any answer is required, HML denies the
 24 allegations therein.

25 **5. “Sony North America’s Participation in the Conspiracy”**

26 a. “Sony North America’s Direct Communications Regarding the Conspiracy”

27 285. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 285 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 285; to the extent any answer is required, HML denies the allegations
5 therein.

6 b. “Sony North America Employed Foreign Executives Who Participated in
7 Conspiratorial Conduct”

8 286. If accurately described, which HML lacks sufficient information to confirm or deny,
9 the document referenced in Paragraph 286 of the Amended Complaint speaks for itself and no
10 further response is required; to the extent that any answer is required, HML denies the allegations
11 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
12 underlying allegations in Paragraph 286; to the extent any answer is required, HML denies the
13 allegations therein.

14 287. HML lacks knowledge or information sufficient to form a belief as to the truth of the
15 allegations in Paragraph 287 of the Amended Complaint; to the extent any answer is required, HML
16 denies the allegations therein.

17 288. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
18 document quoted in Paragraph 288 of the Amended Complaint speaks for itself and no further
19 response is required; to the extent that any answer is required, HML denies the allegations therein.
20 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
21 allegations in Paragraph 288; to the extent any answer is required, HML denies the allegations
22 therein.

23 c. “Sony Japan Directed Sony North America Pricing and Supply Decisions”

24 289. If accurately described, which HML lacks sufficient information to confirm or deny,
25 the document referenced in Paragraph 289 of the Amended Complaint speaks for itself and no
26 further response is required; to the extent that any answer is required, HML denies the allegations
27 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
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1 underlying allegations in Paragraph 289; to the extent any answer is required, HML denies the
2 allegations therein.

3 290. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document quoted in Paragraph 290 of the Amended Complaint speaks for itself and no further
5 response is required; to the extent that any answer is required, HML denies the allegations therein.
6 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
7 allegations in Paragraph 290; to the extent any answer is required, HML denies the allegations
8 therein.

9 291. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 291 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 291; to the extent any answer is required, HML denies the allegations
14 therein.

15 292. If accurately described, which HML lacks sufficient information to confirm or deny,
16 the document referenced in Paragraph 292 of the Amended Complaint speaks for itself and no
17 further response is required; to the extent that any answer is required, HML denies the allegations
18 therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 underlying allegations in Paragraph 292; to the extent any answer is required, HML denies the
20 allegations therein.

21 293. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 293 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 293; to the extent any answer is required, HML denies the allegations
26 therein.

27 294. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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document quoted in Paragraph 294 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 294; to the extent any answer is required, HML denies the allegations therein.

295. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document quoted in Paragraph 295 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 295; to the extent any answer is required, HML denies the allegations therein.

6. “Maxell Corp. of America’s Participation in the Conspiracy”

a. “Maxell Corp. of America’s Direct Communications Regarding the Conspiracy”

296. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document quoted in Paragraph 296 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML denies the underlying allegations in Paragraph 296 to the extent they state allegations against HML or any of its subsidiaries. HML lacks knowledge or information sufficient to form a belief as to the truth of the remaining underlying allegations in Paragraph 296; to the extent any answer is required, HML denies the allegations therein. HML specifically denies engaging in any improper communications with competitors.

297. If accurately described, which HML lacks sufficient information to confirm or deny, the document described in Paragraph 297 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML denies the underlying allegations in Paragraph 297 to the extent they state allegations against HML or any of its subsidiaries. HML lacks knowledge or information sufficient to form a belief as

1 to the truth of the remaining underlying allegations in Paragraph 297; to the extent any answer is
 2 required, HML denies the allegations therein. HML specifically denies engaging in any improper
 3 communications with competitors.

4 298. HML denies the allegations in Paragraph 298 of the Amended Complaint to the
 5 extent they state allegations against HML. HML lacks knowledge or information sufficient to form
 6 a belief as to the remaining allegations in Paragraph 298; to the extent any answer is required, HML
 7 denies the allegations therein. HML specifically denies that it engaged in any improper
 8 communications with competitors, and further specifically denies that it exchanged improperly
 9 obtained information with any of its affiliates.

10 b. “Hitachi Maxell, Ltd. Directed Maxell Corp. of America’s Pricing and
 11 Supply Decisions”

12 299. HML denies the allegations in the first sentence of Paragraph 299 of the Amended
 13 Complaint. HML further states that, if accurately quoted and described, which HML lacks sufficient
 14 information to confirm or deny, the document quoted and described in the second and third
 15 sentences of Paragraph 299 speaks for itself and no further response is required; to the extent any
 16 answer is required, HML denies the allegations therein.

17 C. “The Defendants’ Pricing and Production Levels in Response to the Global
 18 Economic Crisis in 2008 Further Supports the Existence of the Conspiracy”

19 300. HML denies the allegations in Paragraph 300 of the Amended Complaint to the
 20 extent they state allegations against HML. HML states that it lacks knowledge or information
 21 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 300 of the
 22 Amended Complaint, which consist of statements of economic theory that are best suited to expert
 23 opinion; to the extent any answer is required, HML denies the allegations therein. HML specifically
 24 denies being a member of a cartel.

25 301. HML states that it lacks knowledge or information sufficient to form a belief as to the
 26 truth of the allegations in Paragraph 301 of the Amended Complaint, which consist of statements of
 27 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
 28

denies the allegations therein.

302. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 302 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

303. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 303 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

D. “The Structure and Characteristics of the Lithium Ion Battery Market Plausibly Support the Alleged Conspiracy”

304. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 304 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

1. “The Lithium Ion Batteries Market Has High Barriers to Entry”

305. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 305 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

306. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 306 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

307. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 307 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML

1 denies the allegations therein.

2 308. HML states that it lacks knowledge or information sufficient to form a belief as to the
3 truth of the allegations in Paragraph 308 of the Amended Complaint, which consist of statements of
4 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
5 denies the allegations therein.

6 309. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 309 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
10 the underlying allegations in Paragraph 309, which consist of statements of economic theory that are
11 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
12 therein.

13 310. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 310 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
17 the underlying allegations in Paragraph 310, which consist of statements of economic theory that are
18 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
19 therein.

20 311. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
21 document quoted in Paragraph 311 of the Amended Complaint speaks for itself and no further
22 response is required; to the extent that any answer is required, HML denies the allegations therein.
23 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
24 the underlying allegations in Paragraph 311, which consist of statements of economic theory that are
25 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
26 therein.

27 312. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 312 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
4 the underlying allegations in Paragraph 312, which consist of statements of economic theory that are
5 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
6 therein.

7 313. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
8 document quoted in Paragraph 313 of the Amended Complaint speaks for itself and no further
9 response is required; to the extent that any answer is required, HML denies the allegations therein.
10 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
11 the underlying allegations in Paragraph 313, which consist of statements of economic theory that are
12 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
13 therein.

14 314. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
15 document quoted in Paragraph 314 of the Amended Complaint speaks for itself and no further
16 response is required; to the extent that any answer is required, HML denies the allegations therein.
17 HML further states that it lacks knowledge or information sufficient to form a belief as to the truth of
18 the underlying allegations in Paragraph 314, which consist of statements of economic theory that are
19 best suited to expert opinion; to the extent any answer is required, HML denies the allegations
20 therein.

21 315. HML states that it lacks knowledge or information sufficient to form a belief as to the
22 truth of the allegations in Paragraph 315 of the Amended Complaint, which consist of statements of
23 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
24 denies the allegations therein.

25 316. HML states that it lacks knowledge or information sufficient to form a belief as to the
26 truth of the allegations in Paragraph 316 of the Amended Complaint, which consist of statements of
27 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
28

1 denies the allegations therein.

2 317. HML states that it lacks knowledge or information sufficient to form a belief as to the
3 truth of the allegations in Paragraph 317 of the Amended Complaint, which consist of statements of
4 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
5 denies the allegations therein.

6 318. HML states that it lacks knowledge or information sufficient to form a belief as to the
7 truth of the allegations in Paragraph 318 of the Amended Complaint, which consist of statements of
8 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
9 denies the allegations therein.

10 **2. “The Demand For Lithium Ion Batteries Is Inelastic”**

11 319. HML states that it lacks knowledge or information sufficient to form a belief as to the
12 truth of the allegations in Paragraph 319 of the Amended Complaint, which consist of economic
13 theory that is best suited to expert opinion; to the extent any answer is required, HML denies the
14 allegations therein.

15 320. HML states that it lacks knowledge or information sufficient to form a belief as to the
16 truth of the allegations in Paragraph 320 of the Amended Complaint, which consist of statements of
17 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
18 denies the allegations therein.

19 321. HML states that it lacks knowledge or information sufficient to form a belief as to the
20 truth of the allegations in Paragraph 321 of the Amended Complaint, which consist of statements of
21 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
22 denies the allegations therein.

23 **3. “The Market For Lithium Ion Batteries Is Highly Concentrated”**

24 322. HML states that it lacks knowledge or information sufficient to form a belief as to the
25 truth of the allegations in Paragraph 322 of the Amended Complaint, which consist of statements of
26 economic theory that are best suited to expert opinion; to the extent any answer is required, HML
27 denies the allegations therein.

323. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 323 of the Amended Complaint, which consist of statements of economic theory that are best suited to expert opinion; to the extent any answer is required, HML denies the allegations therein.

324. If accurately described, which HML lacks sufficient information to confirm or deny, the document referenced in Paragraph 324 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying allegations in Paragraph 324, which consist of statements of economic theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations therein.

325. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document quoted in Paragraph 325 of the Amended Complaint speaks for itself and no further response is required; to the extent that any answer is required, HML denies the allegations therein. HML lacks knowledge or information sufficient to form a belief as to the truth of the remaining underlying allegations in Paragraph 325, which consist of statements of economic theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the allegations therein.

4. “Trade Associations, Industry Conferences and Other Common Forums Available to Facilitate Collusion”

326. HML admits the allegations in Paragraph 326 of the Amended Complaint that it is a member of organizations related to its business, and lacks knowledge or information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 326; to the extent any answer is required, HML denies the allegations therein. HML specifically denies that it participated in any “collusive activity.”

a. Battery Association of Japan”

327. HML states that it lacks knowledge or information sufficient to form a belief as to the

1 truth of the allegations in Paragraph 327 of the Amended Complaint; to the extent any answer is
2 required, HML denies the allegations therein.

3 328. HML states that it lacks knowledge or information sufficient to form a belief as to the
4 truth of the allegations in Paragraph 328 of the Amended Complaint; to the extent any answer is
5 required, HML denies the allegations therein.

6 329. HML states that it lacks knowledge or information sufficient to form a belief as to the
7 truth of the allegations in Paragraph 329 of the Amended Complaint; to the extent any answer is
8 required, HML denies the allegations therein.

9 330. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
10 document quoted in Paragraph 330 of the Amended Complaint speaks for itself and no further
11 response is required; to the extent that any answer is required, HML denies the allegations therein.
12 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
13 allegations in Paragraph 330; to the extent any answer is required, HML denies the allegations
14 therein.

15 331. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document quoted in Paragraph 331 of the Amended Complaint speaks for itself and no further
17 response is required; to the extent that any answer is required, HML denies the allegations therein.
18 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
19 allegations in Paragraph 331; to the extent any answer is required, HML denies the allegations
20 therein.

21 332. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
22 document quoted in Paragraph 332 of the Amended Complaint speaks for itself and no further
23 response is required; to the extent that any answer is required, HML denies the allegations therein.
24 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
25 allegations in Paragraph 332; to the extent any answer is required, HML denies the allegations
26 therein.

27 333. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
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1 document quoted in Paragraph 333 of the Amended Complaint speaks for itself and no further
2 response is required; to the extent that any answer is required, HML denies the allegations therein.
3 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
4 allegations in Paragraph 333; to the extent any answer is required, HML denies the allegations
5 therein.

6 b. “Korean Battery Trade Associations”

7 334. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
8 document quoted in Paragraph 334 of the Amended Complaint speaks for itself and no further
9 response is required; to the extent that any answer is required, HML denies the allegations therein.
10 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
11 allegations in Paragraph 334; to the extent any answer is required, HML denies the allegations
12 therein.

13 335. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document quoted in Paragraph 335 of the Amended Complaint speaks for itself and no further
15 response is required; to the extent that any answer is required, HML denies the allegations therein.
16 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
17 allegations in Paragraph 335; to the extent any answer is required, HML denies the allegations
18 therein.

19 336. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
20 document quoted in Paragraph 336 of the Amended Complaint speaks for itself and no further
21 response is required; to the extent that any answer is required, HML denies the allegations therein.
22 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
23 allegations in Paragraph 336; to the extent any answer is required, HML denies the allegations
24 therein.

25 337. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document quoted in Paragraph 337 of the Amended Complaint speaks for itself and no further
27 response is required; to the extent that any answer is required, HML denies the allegations therein.
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1 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
2 allegations in Paragraph 337; to the extent any answer is required, HML denies the allegations
3 therein.

4 338. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
5 document quoted in Paragraph 338 of the Amended Complaint speaks for itself and no further
6 response is required; to the extent that any answer is required, HML denies the allegations therein.
7 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
8 allegations in Paragraph 338; to the extent any answer is required, HML denies the allegations
9 therein.

10 339. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document quoted in Paragraph 339 of the Amended Complaint speaks for itself and no further
12 response is required; to the extent that any answer is required, HML denies the allegations therein.
13 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
14 allegations in Paragraph 339; to the extent any answer is required, HML denies the allegations
15 therein.

16 c. “Other Trade Associations”

17 340. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
18 document quoted in Paragraph 340 of the Amended Complaint speaks for itself and no further
19 response is required; to the extent that any answer is required, HML denies the allegations therein.
20 HML denies the allegations in the third sentence of Paragraph 340 to the extent they state that HML
21 is a member of the Portable Rechargeable Battery Association. HML lacks knowledge or
22 information sufficient to form a belief as to the truth of the remaining allegations in Paragraph 340;
23 to the extent any answer is required, HML denies the allegations therein.

24 341. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
25 document quoted in Paragraph 341 of the Amended Complaint speaks for itself and no further
26 response is required; to the extent that any answer is required, HML denies the allegations therein.
27 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
28

1 allegations in Paragraph 341; to the extent any answer is required, HML denies the allegations
2 therein.

3 342. HML states that it lacks knowledge or information sufficient to form a belief as to the
4 truth of the allegations in Paragraph 342 of the Amended Complaint; to the extent any answer is
5 required, HML denies the allegations therein.

6 **E. “Government Investigations into the Lithium Ion Batteries Cartel”**

7 343. HML denies the allegations in Paragraph 343 of the Amended Complaint to the
8 extent they state allegations against HML. HML lacks sufficient information to confirm or deny the
9 remaining allegations in Paragraph 343; to the extent that any answer is required, HML denies the
10 allegations therein.

11 344. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 344 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML lacks knowledge or information sufficient to form a belief as to the truth of the underlying
15 allegations in Paragraph 344; to the extent any answer is required, HML denies the allegations
16 therein.

17 345. HML lacks knowledge or information sufficient to form a belief as to the truth of the
18 allegations in Paragraph 345 of the Amended Complaint; to the extent any answer is required, HML
19 denies the allegations therein.

20 346. HML states that it lacks knowledge or information sufficient to form a belief as to the
21 truth of the allegations in Paragraph 346 of the Amended Complaint; to the extent any answer is
22 required, HML denies the allegations therein.

23 347. HML states that, if quoted accurately, the document quoted in Paragraph 347 of the
24 Amended Complaint speaks for itself and no further response is required; to the extent any response
25 is required, HML denies the allegations therein.

26 **1. “The Criminal Guilty Pleas of Sanyo Electric Co. and LG Chem, Ltd.”**

27 a. **“Sanyo Electric Co. Ltd.’s Criminal Guilty Plea”**

1 348. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
2 document quoted in Paragraph 348 of the Amended Complaint speaks for itself and no further
3 response is required. HML states that it lacks knowledge or information sufficient to form a belief
4 as to the truth of the allegations in Paragraph 348 of the Amended Complaint; to the extent any
5 answer is required, HML denies the allegations therein.

6 349. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 349 of the Amended Complaint speaks for itself and no further
8 response is required. HML states that it lacks knowledge or information sufficient to form a belief
9 as to the truth of the allegations in Paragraph 349 of the Amended Complaint; to the extent any
10 answer is required, HML denies the allegations therein.

11 350. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 350 of the Amended Complaint speaks for itself and no further
13 response is required. HML states that it lacks knowledge or information sufficient to form a belief
14 as to the truth of the allegations in Paragraph 350 of the Amended Complaint; to the extent any
15 answer is required, HML denies the allegations therein

16 b. “LG Chem Ltd.’s Guilty Plea Agreement”

17 351. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
18 document quoted in Paragraph 351 of the Amended Complaint speaks for itself and no further
19 response is required. HML states that it lacks knowledge or information sufficient to form a belief
20 as to the truth of the allegations in Paragraph 351 of the Amended Complaint; to the extent any
21 answer is required, HML denies the allegations therein

22 352. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
23 document quoted in Paragraph 352 of the Amended Complaint speaks for itself and no further
24 response is required. HML states that it lacks knowledge or information sufficient to form a belief
25 as to the truth of the allegations in Paragraph 352 of the Amended Complaint; to the extent any
26 answer is required, HML denies the allegations therein

27 353. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
28

1 document quoted in Paragraph 353 of the Amended Complaint speaks for itself and no further
2 response is required. HML states that it lacks knowledge or information sufficient to form a belief
3 as to the truth of the allegations in Paragraph 353 of the Amended Complaint; to the extent any
4 answer is required, HML denies the allegations therein

5 354. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document quoted in Paragraph 354 of the Amended Complaint speaks for itself and no further
7 response is required. HML states that it lacks knowledge or information sufficient to form a belief
8 as to the truth of the allegations in Paragraph 354 of the Amended Complaint; to the extent any
9 answer is required, HML denies the allegations therein

10 **F. “Defendants Have a History of Conspiring to Fix Prices for Critical Components of**
11 **Consumer Electronics”**

12 355. HML denies the allegations in Paragraph 355 of the Amended Complaint to the
13 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
14 form a belief as to the truth of the remaining allegations in Paragraph 355; to the extent any answer
15 is required, HML denies the allegations therein. HML specifically denies that it has a “long history
16 of criminal collusion” or that it has admitted to “illegal conduct.”

17 356. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
18 document quoted in Paragraph 356 of the Amended Complaint speaks for itself and no further
19 response is required; to the extent that any answer is required, HML denies the allegations therein.
20 HML lacks knowledge or information sufficient to form a belief as to the truth of the remaining
21 underlying allegations in Paragraph 356; to the extent any answer is required, HML denies the
22 allegations therein.

23 357. HML lacks knowledge or information sufficient to form a belief as to the truth of the
24 allegations in the first sentence of Paragraph 357 of the Amended Complaint, which consist of
25 statements of technical expertise that are best suited to an expert opinion; to the extent any answer is
26 required, HML denies the allegations therein. HML specifically denies the allegations in Paragraph
27 346 to the extent they state that HML has pled guilty to fixing the prices of DRAM chips, LCD
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1 screens, or Optical Disc Drives. HML lacks knowledge or information sufficient to form a belief as
2 to the truth of the remaining allegations in Paragraph 357; to the extent any answer is required, HML
3 denies the allegations therein.

4 358. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
5 document quoted in Paragraph 358 of the Amended Complaint speaks for itself and no further
6 response is required; to the extent that any answer is required, HML denies the allegations therein.
7 HML further states that it lacks sufficient information to confirm or deny the underlying allegations
8 in Paragraph 358; to the extent any answer is required, HML denies the allegations therein.

9 359. HML denies the allegations in the first sentence of Paragraph 359 of the Amended
10 Complaint to the extent they state allegations against HML. If accurately quoted, which HML lacks
11 sufficient information to confirm or deny, the document quoted in the second sentence of Paragraph
12 359 speaks for itself and no further response is required; to the extent that any answer is required,
13 HML denies the allegations therein. HML lacks sufficient knowledge or information to form a
14 belief as to the truth of the remaining allegations in Paragraph 359; to the extent any response is
15 required, HML denies the allegations therein. HML specifically denies using any “illegal means.”

16 360. HML states that it lacks sufficient information to form a belief as to the truth of the
17 allegations in Paragraph 360 of the Amended Complaint; to the extent any answer is required, HML
18 denies the allegations therein.

19 361. HML lacks knowledge or information sufficient to form a belief as to the truth of the
20 allegations in Paragraph 361 of the Amended Complaint; to the extent any answer is required, HML
21 denies the allegations therein.

22 362. HML lacks knowledge or information sufficient to form a belief as to the truth of the
23 allegations in Paragraph 362 of the Amended Complaint; to the extent any answer is required, HML
24 denies the allegations therein. HML denies that Hitachi Displays, Ltd. is a subsidiary or parent of
25 HML.

26 363. HML lacks knowledge or information sufficient to form a belief as to the truth of the
27 allegations in Paragraph 363 of the Amended Complaint; to the extent any answer is required, HML
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1 denies the allegations therein. HML denies that Hitachi-LG Data Storage is a subsidiary or parent of
2 HML.

3 364. HML admits the allegations in Paragraph 364 of the Amended Complaint that certain
4 other defendants have pleaded guilty to fixing prices for other products. HML denies that HML has
5 ever been charged with or pleaded guilty to price-fixing.

6 365. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 365 of the Amended Complaint speaks for itself and no further
8 response is required. HML states that it lacks knowledge or information sufficient to form a belief
9 as to the truth of the allegations in Paragraph 365 of the Amended Complaint; to the extent any
10 answer is required, HML denies the allegations therein

11 366. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 366 of the Amended Complaint speaks for itself and no further
13 response is required. HML states that it lacks knowledge or information sufficient to form a belief
14 as to the truth of the allegations in Paragraph 366 of the Amended Complaint; to the extent any
15 answer is required, HML denies the allegations therein.

16 **VI. "MANNER AND MEANS OF THE CONSPIRACY"**

17 367. HML denies the allegations in Paragraph 367 of the Amended Complaint to the
18 extent that they state allegations against HML. HML lacks sufficient knowledge or information to
19 form a belief about the truth of the remaining allegations in Paragraph 367; to the extent any answer
20 is required, HML denies the allegations therein. HML specifically denies that it participated in any
21 purported "combination" or "conspiracy."

22 **VII. "THE INFLATED PRICES OF LITHIUM ION BATTERIES WERE INCURRED BY**
23 **AND/OR PASSED THROUGH TO PLAINTIFFS"**

24 368. HML denies the allegations in Paragraph 368 of the Amended Complaint to the
25 extent that they state allegations against HML. HML lacks sufficient knowledge or information to
26 form a belief about the truth of the remaining allegations in Paragraph 368; to the extent any answer
27 is required, HML denies the allegations therein. HML specifically denies that it participated in any
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1 purported “conspiracy” regarding the price of Lithium Ion Batteries or that TracFone suffered any
2 injury as the result of any conduct by HML.

3 369. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 369 of the Amended Complaint, which consist of statements of technical
5 and economic theory that are best suited to an expert opinion; to the extent any answer is required,
6 HML denies the allegations therein.

7 370. HML lacks knowledge or information sufficient to form a belief as to the truth of the
8 allegations in Paragraph 370 of the Amended Complaint, which consist of statements of technical
9 and economic theory that are best suited to an expert opinion; to the extent any answer is required,
10 HML denies the allegations therein.

11 371. HML lacks knowledge or information sufficient to form a belief as to the truth of the
12 allegations in Paragraph 371 of the Amended Complaint, which consist of statements of economic
13 theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the
14 allegations therein.

15 **VIII. “ANTITRUST INJURY”**

16 372. HML denies the allegations in Paragraph 372 of the Amended Complaint to the
17 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
18 form a belief as to the truth of the remaining allegations in Paragraph 372, which consist of
19 statements of economic theory that are best suited to an expert opinion; to the extent any answer is
20 required, HML denies the allegations therein. HML specifically denies that it participated in any
21 purported misconduct.

22 373. HML denies the allegations in Paragraph 373 of the Amended Complaint, and
23 specifically denies that it engaged in any conspiracy and that any price competition was restrained,
24 prices of LIBs were fixed, or purchasers were deprived of free competition as a result of HML’s
25 conduct or any purported “conspiracy.”

26 374. HML denies the allegations in Paragraph 374 of the Amended Complaint. HML
27 specifically denies that TracFone have suffered any injury as the result of conduct by HML.

375. HML denies the allegations in Paragraph 375 of the Amended Complaint. HML specifically denies that it violated antitrust laws and that TracFone suffered any injury as the result of HML's conduct.

376. HML states that the allegation in Paragraph 376 of the Amended Complaint consist of legal arguments and conclusions to which no response is required; to the extent that any answer is required, HML denies the allegations therein.

IX. "PLAINTIFFS' CLAIMS ARE NOT BARRED BY THE STATUTE OF LIMITATIONS"

A. "The Statute of Limitations Did Not Begin to Run Until Summer 2012 at the Earliest Because Plaintiffs Did Not and Could Not Discover Their Claims"

377. HML lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 377 of the Amended Complaint; to the extent any answer is required, HML denies the allegations therein.

378. If accurately described, which HML lacks sufficient information to confirm or deny, the documents described in Paragraph 378 of the Amended Complaint speak for themselves and no further response is required; to the extent that any answer is required, HML denies the allegations therein.

379. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document's quoted language in the remainder of Paragraph 379 of the Amended Complaint speaks for itself and no further response is required. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 379 of the Amended Complaint; to the extent any answer is required, HML denies the allegations therein.

380. If accurately quoted, which HML lacks sufficient information to confirm or deny, the document's quoted language in the remainder of Paragraph 380 of the Amended Complaint speaks for itself and no further response is required. HML states that it lacks knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph 380 of the Amended Complaint; to the extent any answer is required, HML denies the allegations therein.

381. If accurately quoted, which HML lacks sufficient information to confirm or deny, the

1 document's quoted language in the remainder of Paragraph 381 of the Amended Complaint speaks
2 for itself and no further response is required. HML states that it lacks knowledge or information
3 sufficient to form a belief as to the truth of the allegations in Paragraph 381 of the Amended
4 Complaint; to the extent any answer is required, HML denies the allegations therein.

5 382. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
6 document quoted in Paragraph 382 of the Amended Complaint speaks for itself and no further
7 response is required. HML states that it lacks knowledge or information sufficient to form a belief
8 as to the truth of the allegations in Paragraph 382 of the Amended Complaint; to the extent any
9 answer is required, HML denies the allegations therein.

10 383. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document's quoted language in the remainder of Paragraph 383 of the Amended Complaint speaks
12 for itself and no further response is required. HML states that it lacks knowledge or information
13 sufficient to form a belief as to the truth of the allegations in Paragraph 383 of the Amended
14 Complaint; to the extent any answer is required, HML denies the allegations therein.

15 384. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document's quoted language in the remainder of Paragraph 384 of the Amended Complaint speaks
17 for itself and no further response is required. HML states that it lacks knowledge or information
18 sufficient to form a belief as to the truth of the allegations in Paragraph 384 of the Amended
19 Complaint; to the extent any answer is required, HML denies the allegations therein.

20 385. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
21 document's quoted language in the remainder of Paragraph 385 of the Amended Complaint speaks
22 for itself and no further response is required. HML states that it lacks knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 385 of the Amended
24 Complaint; to the extent any answer is required, HML denies the allegations therein.

25 386. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document's quoted language in the remainder of Paragraph 386 of the Amended Complaint speaks
27 for itself and no further response is required. HML states that it lacks knowledge or information
28

1 sufficient to form a belief as to the truth of the allegations in Paragraph 386 of the Amended
2 Complaint; to the extent any answer is required, HML denies the allegations therein

3 387. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
4 document's quoted language in the remainder of Paragraph 387 of the Amended Complaint speaks
5 for itself and no further response is required. HML states that it lacks knowledge or information
6 sufficient to form a belief as to the truth of the allegations in Paragraph 387 of the Amended
7 Complaint; to the extent any answer is required, HML denies the allegations therein.

8 388. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
9 document's quoted language in the remainder of Paragraph 388 of the Amended Complaint speaks
10 for itself and no further response is required. HML states that it lacks knowledge or information
11 sufficient to form a belief as to the truth of the allegations in Paragraph 388 of the Amended
12 Complaint; to the extent any answer is required, HML denies the allegations therein.

13 389. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
14 document's quoted language in the remainder of Paragraph 389 of the Amended Complaint speaks
15 for itself and no further response is required. HML states that it lacks knowledge or information
16 sufficient to form a belief as to the truth of the allegations in Paragraph 389 of the Amended
17 Complaint; to the extent any answer is required, HML denies the allegations therein.

18 390. HML denies the allegations in Paragraph 390 of the Amended Complaint to the
19 extent they state allegations against HML. If accurately quoted, which HML lacks sufficient
20 information to confirm or deny, the document's quoted language in the remainder of Paragraph 390
21 speaks for itself and no further response is required; to the extent that any answer is required, HML
22 denies the allegations therein.

23 391. HML denies the allegations in Paragraph 391 of the Amended Complaint to the
24 extent they state allegations against HML. If accurately quoted, which HML lacks sufficient
25 information to confirm or deny, the document's quoted language in the remainder of Paragraph 391
26 speaks for itself and no further response is required; to the extent that any answer is required, HML
27 denies the allegations therein.

1 392. HML admits that it has promulgated and adheres to the policies ascribed to HML in
2 Paragraph 392 of the Amended Complaint.

3 393. HML admits that it has promulgated and adheres to the policies ascribed to HML in
4 Paragraph 393 of the Amended Complaint.

5 394. HML denies the allegations in Paragraph 394 of the Amended Complaint to the
6 extent they state allegations against HML. If accurately quoted, which HML lacks sufficient
7 information to confirm or deny, the document's quoted language in the remainder of Paragraph 394
8 speaks for itself and no further response is required; to the extent that any answer is required, HML
9 denies the allegations therein.

10 395. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
11 document's quoted language in the remainder of Paragraph 395 of the Amended Complaint speaks
12 for itself and no further response is required. HML states that it lacks knowledge or information
13 sufficient to form a belief as to the truth of the allegations in Paragraph 395 of the Amended
14 Complaint; to the extent any answer is required, HML denies the allegations therein.

15 396. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
16 document's quoted language in the remainder of Paragraph 396 of the Amended Complaint speaks
17 for itself and no further response is required. HML states that it lacks knowledge or information
18 sufficient to form a belief as to the truth of the allegations in Paragraph 396 of the Amended
19 Complaint; to the extent any answer is required, HML denies the allegations therein.

20 397. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
21 document's quoted language in the remainder of Paragraph 397 of the Amended Complaint speaks
22 for itself and no further response is required. HML states that it lacks knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 397 of the Amended
24 Complaint; to the extent any answer is required, HML denies the allegations therein.

25 398. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
26 document's quoted language in the remainder of Paragraph 398 of the Amended Complaint speaks
27 for itself and no further response is required. HML states that it lacks knowledge or information
28

1 sufficient to form a belief as to the truth of the allegations in Paragraph 398 of the Amended
2 Complaint; to the extent any answer is required, HML denies the allegations therein.

3 399. HML lacks knowledge or information sufficient to form a belief as to the truth of the
4 allegations in Paragraph 399 of the Amended Complaint; to the extent any answer is required, HML
5 denies the allegations therein.

6 400. HML states that the allegations in Paragraph 400 of the Amended Complaint consist
7 of legal arguments and conclusions to which no response is required; to the extent that any answer is
8 required, HML denies the allegations therein.

9 **B. "Fraudulent Concealment/ Equitable Estoppel Tolled the Statute of Limitations"**

10 401. HML states that the allegations in Paragraph 401 of the Amended Complaint consist
11 of legal arguments and conclusions to which no response is required; to the extent that any answer is
12 required, HML denies the allegations therein.

13 402. HML denies the allegations in Paragraph 402 of the Amended Complaint to the
14 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
15 form a belief as to the truth of the remaining allegations in Paragraph 402; to the extent any answer
16 is required, HML denies the allegations therein. HML specifically denies that it engaged in unlawful
17 conduct or that TracFone suffered any injury as the result of any conduct by HML.

18 403. HML denies the allegations in Paragraph 403 of the Amended Complaint to the
19 extent that they state allegations against HML. HML further states that the remaining allegations in
20 Paragraph 403 consist of legal arguments and conclusions to which no response is required; to the
21 extent that any answer is required, HML denies the allegations therein.

22 404. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
23 document quoted in Paragraph 404 of the Amended Complaint speaks for itself and no further
24 response is required. HML further states that it lacks knowledge or information sufficient to form a
25 belief as to the truth of the remaining allegations in Paragraph 404; to the extent any answer is
26 required, HML denies the allegations therein.

27 405. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
28

1 document quoted in Paragraph 405 of the Amended Complaint speaks for itself and no further
2 response is required. HML further states that it lacks knowledge or information sufficient to form a
3 belief as to the truth of the remaining allegations in Paragraph 405; to the extent any answer is
4 required, HML denies the allegations therein. HML specifically denies that it has participated in any
5 purported “conspiratorial conversations” or “conspiratorial meetings.”

6 406. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
7 document quoted in Paragraph 406 of the Amended Complaint speaks for itself and no further
8 response is required; to the extent that any answer is required, HML denies the allegations therein.
9 HML specifically denies the allegation that it “concealed” its conduct by avoiding the “creation of a
10 paper trail.”

11 407. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
12 document quoted in Paragraph 407 of the Amended Complaint speaks for itself and no further
13 response is required; to the extent that any answer is required, HML denies the allegations therein.
14 HML specifically denies the allegation that it has participated in “price collusion” or any attempts to
15 “conceal” said “price collusion.”

16 408. If accurately quoted, which HML lacks sufficient information to confirm or deny, the
17 document quoted in Paragraph 408 of the Amended Complaint speaks for itself and no further
18 response is required; to the extent that any answer is required, HML denies the allegations therein.

19 409. HML denies the allegations in Paragraph 409 of the Amended Complaint to the
20 extent that they state allegations against HML. HML further states that the remaining allegations in
21 Paragraph 404 consist of legal arguments and conclusions to which no response is required; to the
22 extent that any answer is required, HML denies the allegations therein. HML specifically denies that
23 it participated in any “anticompetitive conspiracy.”

24 410. HML denies the allegations in Paragraph 410 of the Amended Complaint to the
25 extent that they state allegations against HML. HML further states that the remaining allegations in
26 Paragraph 410 consist of legal arguments and conclusions to which no response is required; to the
27 extent that any answer is required, HML denies the allegations therein. HML specifically denies that
28

1 it participated in any purported “conspiracy” or that it had “co-conspirators.”

2 411. HML denies the allegations in Paragraph 411 of the Amended Complaint to the
3 extent that they state allegations against HML. HML further states that the remaining allegations in
4 Paragraph 411 consist of legal arguments and conclusions to which no response is required; to the
5 extent that any answer is required, HML denies the allegations therein. HML specifically denies that
6 it participated in any purported “conspiracy” or that it had “co-conspirators.”

7 412. HML states that the allegations in Paragraph 412 of the Amended Complaint consist
8 of legal arguments and conclusions to which no response is required. Further, HML lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations in Paragraph
10 412 of the Amended Complaint; to the extent any answer is required, HML denies the allegations
11 therein. HML specifically denies the allegation that it “committed fraudulent acts” or “actively
12 concealed those acts.”

13 **X. “TOLLING”**

14 413. HML states that the allegations in Paragraph 413 of the Amended Complaint consist
15 of legal arguments and conclusions to which no response is required; to the extent that any answer is
16 required, HML denies the allegations therein.

17 **XI. “TRADE AND COMMERCE AFFECTED BY DEFENDANTS’ CONSPIRACY”**

18 414. HML lacks knowledge or information sufficient to form a belief as to the truth of the
19 allegations in Paragraph 414 of the Amended Complaint, which consist of statements of economic
20 theory that are best suited to an expert opinion; to the extent any answer is required, HML denies the
21 allegations therein.

22 415. HML lacks knowledge or information sufficient to form a belief as to the truth of the
23 allegations in Paragraph 415 of the Amended Complaint; to the extent any answer is required, HML
24 denies the allegations therein.

25 416. HML lacks knowledge or information sufficient to form a belief as to the truth of the
26 allegations in Paragraph 416 of the Amended Complaint; to the extent any answer is required, HML
27 denies the allegations therein.

1 **A. “Defendants’ Conduct Involved Import Trade or Import Commerce”**

2 417. HML denies the allegations in Paragraph 417 of the Amended Complaint to the
3 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
4 form a belief as to the truth of the remaining allegations in Paragraph 417; to the extent any answer
5 is required, HML denies the allegations therein. HML specifically denies that it engaged in any
6 “illegal conduct.”

7 418. HML denies the allegations in Paragraph 418 of the Amended Complaint to the
8 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
9 form a belief as to the truth of the remaining allegations in Paragraph 418; to the extent any answer
10 is required, HML denies the allegations therein.

11 419. HML denies the allegations in Paragraph 419 of the Amended Complaint to the
12 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
13 form a belief as to the truth of the remaining allegations in Paragraph 419; to the extent any answer
14 is required, HML denies the allegations therein. HML specifically denies that it sold any “price-
15 fixed Lithium Ion Batteries.”

16 420. HML admits the allegations in Paragraph 420 of the Amended Complaint to the
17 extent they are stated against HML, and lacks knowledge or information sufficient to form a belief
18 as to the truth of the remaining allegations in Paragraph 420; to the extent any answer is required,
19 HML denies the allegations therein.

20 421. HML denies the allegations in Paragraph 421 of the Amended Complaint to the
21 extent that they state allegations against HML. HML lacks knowledge or information sufficient to
22 form a belief as to the truth of the remaining allegations in Paragraph 421; to the extent any answer
23 is required, HML denies the allegations therein. HML specifically denies that it “agreed on prices”
24 with competitors and that it “manufactures products containing Lithium Ion Batteries.”

25 422. HML states that the allegations in Paragraph 422 of the Amended Complaint consist
26 of legal arguments and conclusions to which no response is required; to the extent any response is
27 required, HML denies the allegations therein.

1 B. **“Defendants’ Conduct Had a Direct, Substantial, and Reasonably Foreseeable Effect**
 2 **on U.S. Domestic and Import Trade or Commerce That Gave Rise to Plaintiffs’**
 3 **Antitrust Claims”**

4 423. HML denies the allegations in Paragraph 423 of the Amended Complaint to the
 5 extent that they state allegations against HML. HML states that the allegations in the final sentence
 6 of Paragraph 423 consist of legal arguments and conclusions to which no response is required; to the
 7 extent any response is required, HML denies the allegations therein. HML further states it lacks
 8 sufficient information or knowledge to form a belief as to the remaining allegations in Paragraph
 9 423; to the extent that any answer is required, HML denies the allegations therein. HML specifically
 10 denies that it engaged in any “illegal conduct” or that any TracFone suffered any injury as the result
 11 of HML’s conduct.

12 **XII. “LEGAL CLAIMS”**

13 A. **“First Claim for Relief – Violation of Section 1 of the Sherman Act”**

14 424. HML incorporates by reference its responses to all of the preceding Paragraphs as if
 15 restated in full in response to Paragraph 424 of the Amended Complaint.

16 425. HML denies the allegations in Paragraph 425 of the Amended Complaint.

17 426. HML denies the allegations in Paragraph 426 of the Amended Complaint.

18 427. HML denies the allegations in Paragraph 427 of the Amended Complaint.

19 428. HML denies the allegations in Paragraph 428 of the Amended Complaint.

20 429. HML denies the allegations in Paragraph 429 of the Amended Complaint.

21 430. HML denies the allegations in Paragraph 430 of the Amended Complaint.

22 B. **“Second Claim for Relief – Violation of the California Cartwright Act”**

23 431. HML incorporates by reference its responses to all of the preceding Paragraphs as if
 24 restated in full in response to Paragraph 431 of the Amended Complaint.

25 432. HML denies the allegations in Paragraph 432 of the Amended Complaint.

26 433. HML states it lacks sufficient information or knowledge to form a belief as to the
 27 remaining allegations in Paragraph 433 of the Amended Complaint; to the extent that any answer is
 28

1 required, HML denies the allegations therein.

2 434. HML states that the allegations in Paragraph 434 of the Amended Complaint consist
3 of legal arguments and conclusions to which no response is required; to the extent any response is
4 required, HML denies the allegations therein.

5 435. HML states that the allegations in Paragraph 435 of the Amended Complaint consist
6 of legal arguments and conclusions to which no response is required; to the extent any response is
7 required, HML denies the allegations therein. Specifically, HML denies the allegation that it
8 engaged in “unlawful unfair methods of competition” or “unfair or deceptive trade practices” by
9 “fixing prices.”

10 436. HML denies the allegations in Paragraph 436 of the Amended Complaint.

11 437. HML denies the allegations in Paragraph 437 of the Amended Complaint.

12 438. HML denies the allegations in Paragraph 438 of the Amended Complaint.

13 439. HML states that the allegations in Paragraph 439 of the Amended Complaint consist
14 of legal arguments and conclusions to which no response is required; to the extent that any answer is
15 required, HML denies the allegations therein.

16 **“PRAYER FOR RELIEF”**

17 HML denies that TracFone has suffered any injury and further deny that TracFone is entitled
18 to any of the relief they seek through the Amended Complaint, under any theory.

19 **“JURY TRIAL DEMANDED”**

20 HML admits that TracFone’s demand for a trial by jury of all claims asserted in this
21 Amended Complaint that are so triable.

22 **AFFIRMATIVE DEFENSES OF HML**

23 Unless otherwise specified, HML asserts the following affirmative defenses to TracFone’s
24 entire Amended Complaint and each and every cause of action purportedly stated therein, including
25 all claims and/or causes of action made under any applicable law.

26 **FIRST AFFIRMATIVE DEFENSE**

27 The Amended Complaint fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because TracFone conflates HML with other corporate entities including its subsidiary, Maxell Corporation of America.

THIRD AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because TracFone's alleged damages were caused by the conduct of parties other than HML.

FOURTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because TracFone's alleged damages are speculative and impossible to ascertain and/or allocate.

FIFTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, by TracFone's failure to mitigate damages.

SIXTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, by the pertinent statute of limitations.

SEVENTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, by the doctrine of laches.

EIGHTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because TracFone lacks standing.

NINTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because TracFone failed to plead fraud, fraudulent concealment, or conspiracy with particularity.

TENTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, by the doctrine of waiver, estoppel, and/or unclean hands.

ELEVENTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because the acts or omissions of HML did not substantially lessen competition in any properly defined market.

TWELFTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, because the alleged conduct was unilateral, has not unreasonably restrained trade, was based on independent and legitimate business justifications, and constituted bona fide competition.

THIRTEENTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred, in whole or in part, by the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6(a).

FOURTEENTH AFFIRMATIVE DEFENSE

TracFone's claims and prayer for relief against HML are barred to the extent that HML's alleged conduct occurred outside the jurisdiction of this Court and/or was neither directed to nor affected persons, entities, or commerce in Florida.

FIFTEENTH AFFIRMATIVE DEFENSE

HML avers that TracFone's claims are barred, in whole or in part, to the extent that TracFone seeks damages that are duplicative of damages sought in other actions.

HML has not knowingly or intentionally waived any applicable affirmative defenses and reserves the right to assert and rely on such other applicable affirmative defenses as may become available or apparent during discovery proceedings. HML further reserves the right to amend its Answer and/or affirmative defenses accordingly, and/or to delete affirmative defenses that it determines are not applicable during the course of discovery.

PRAYER FOR RELIEF

Wherefore, HML respectfully requests that this Court:

- A. Enter judgment in favor of HML and against TracFone;
- B. Deny TracFone's requested relief against HML;
- C. Award HML its attorney's fees and costs; and
- D. Grant HML such other and further relief as the Court deems just and proper.

Dated: May 30, 2017

Respectfully submitted,

By: /s/ Craig P. Seebald

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Counsel for Defendant Hitachi Maxell, Ltd.

CERTIFICATE OF SERVICE

The undersigned certifies that on May 30, 2017, the foregoing document DEFENDANT HITACHI MAXELL, LTD.'S ANSWER TO AMENDED COMPLAINT OF TRACFONE WIRELESS, INC. was electronically filed with the Clerk of the Court for the UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA, using Court's Electronic Case Filing (ECF) system. The ECF system routinely sends a "Notice of Electronic Filing" to all attorneys of record who have consented to accept this notice as service of this document by electronic means.

/s/ Craig P. Seebald

Craig P. Seebald